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EMILIO BLANCO IZAGA: COLONEL IN THE RIF

A Selection of his Material, Published and Unpublished, on the Sociopolitical Structure of the Rifians of Northern Morocco

Translated and with an Introduction by
David Montogomery Hart

Volume I

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David Montogomery Hart
Garrucha (Almeria) Spain

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[Title Page]

ACKNOWLEDGEMENTS

114 128 I must express my very sincerest and most heartfelt thanks, first of all, to Sra. Da. Agustina Moro de Blanco, the widow of Col. Emilie Blanco Izaga, who graciously allowed me to consult her late husband's private papers dealing with the Berbers of the Rif, in Madrid during February-March 1960. I must also express equal thanks to her son, Dr. D. Agustin Blanco Moro, with whom I initially corresponded in 1958 regarding his father's Rifian materials, and who kindly provided me with all the biographical data on his father; and to Sr. D. Tomas Garcia Figueras, the former Delegate of Native Affairs in Tetuan (in what until 1956 was Spanish Morocco), and subsequent mayor of Jérez de la Frontera who, on hearing of my original interest in Col. Blanco's work, was good enough to put me in contact with his family. And, in this connection, I owe a very special debt of gratitude to Col. Blanco's charming and personable youngest daughter, Srta. Da. Emilia Blanco Moro, who went over the materials with me, and who helped me out when I was unable to read her father's handwriting, during the month I spent in Madrid. Finally, during the second, much later month of April 1970 which I again spent in Madrid, I must express my gratitude to Srta. Da. Concha Bragimo Fernandez, the head of the Africa Section at the National Library, for her assistance in that particular quarter.

122 128 I am also indebted both to the Ford Foundation, which sponsored my initial fieldwork in Morocco (1952-1955) and to the American Museum of Natural History, which sponsored my second (1959-1961) and third (1961-

122 1967) Moroccan trips; and I should add that neither of these New York
128 institutions being the owner, editor or publisher of the series in which this monograph appears, they can assume no responsibility for its contents - for such is entirely my own.

128 I must also acknowledge the very great help of Capt. José Rodriguez
[127] Erola of the Spanish Army, for having made available to me two unpublished papers by Blanco (translated in the text) from the archives of the Ajdir Office in the Aith Waryaghar comarcal, of which he was the administrator or interventor, in 1955. Professor Carleton S. Coon, Emeritus, formerly of the University of Pennsylvania (who was largely responsible for my initial interest in the Rif as an area of fieldwork) and Professor Ernest Gellner, of the Department of Sociology at the London School of Economics, both gave me much advice and encouragement; and Professor Gellner was kind enough to read and comment upon the first draft (1962) of the manuscript. I hope that I have heeded his comments, as my footnotes needed much pruning. And to Mrs. Don Carl Steffen, who understandingly and uncomplainingly typed up the second draft, I owe a very great debt indeed. The present draft is the third one. I also wish to give credit to the late Dr. Lloyd Cabot Briggs for having thought of the title "Colonel in the Rif."

But, always barring Col. Blanco's own family and heirs, my greatest thanks of all must go to two persons: to 'Amar Azzugwagh of the Aith Turirth subclan of the highland Aith Waryaghar, my mentor, initiator and general factotum in Things Rifian, who checked over all the Blanco materials with me point by point by point, after my return to Morocco from Madrid late in March 1960, for errors of fact and even of interpretation. He did so with extreme patience, forbearance and humor. And last but by no means least, my thanks must go to my wife, Ursula Doroth Kingsmill Hart, without whose constant help, suggestions and interruptions I should probably not have finished this monograph.

Although what follows represents only a by-product of my own Rifian studies, I only hope that Emilio Blanco Izaga himself would not have objected too violently to the manner, "scissors-and-paste" though it may be, in which I am presenting his work; and I dedicate, herewith, this edited and annotated translation of a particular segment of it to his memory.

Garrucha (Almeria), Spain
September 9, 1971

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

INTRODUCTION 1:

EMILIO BLANCO IZAGA AND THE SPANISH PROTECTORATE OF MOROCCO

114 Emilio Blanco Izaga (1892-1949), whose work, both unpublished and published, on the social structures and political systems of the Berber-speaking tribes in the Rif Mountains of Northern Morocco we have tried, in the pages that follow, to render into reasonably acceptable English prose, was a colonel in the Spanish Army who, before his untimely death had nearly twenty years' administrative experience amongst the people whereof he wrote.

A preliminary assessment, by the present author, of Emilio Blanco and of his published work, has already appeared elsewhere[1]; but although much of the material presented in it need not be restated here, in the light of further and later knowledge on my own part, some recapitulation, especially that dealing with Blanco's biography, is certainly necessary.

101
175 Blanco had much of extreme interest to say about the social structure and indeed about the everyday life of the Rifian tribesmen of what was then the Spanish, and now the North, Zone of Morocco, and especially about these same features, with particular attention to sociopolitical institutions, among the Aith Waryaghar: the key tribe, and the largest one, of the Central Rif, the tribe which always "commanded" in the region, the tribe which smashed the Pretender Bu Hmara

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[113] 1--David Montgomery Hart, "Emilio Blanco Izaga and the Berbers of the Central Rif", Tamuda, Revista de Investigaciones Marroquies, VI, 2, Tetuan 1958, pp. 171-237.

101 in 1908, the tribe which, in 'Abd al-Krim, produced both a reformer
175 of Customary Law and a military near-genius who from 1921 to 1926 held both Spain and France at bay, the tribe which I myself studied in detail in the field, as an anthropologist, intermittently, from 1953 to 1955 and again from 1959, intermittently, to 1966; and the tribe which in 1958 to 1959 provided, through a traditional revolt championing modern objectives, the Royal Army of Independent Morocco with its first serious test of strength.

000 I assume that a good many anthropologists, in the course of their fieldwork, and in that of checking local libraries and archival materials about the tribal groups or societies that they have studied, have chanced across reports on these same tribes by previous colonial administrators of them which have been really meritorious in quality. If such is the case, many anthropologists may logically be supposed to have their "favorite" tribal administrators, district commissioners, or whatever. In my own case, Emilio Blanco Izaga, exasperating as certain facets of his writings are, is certainly the man.

128 This introduction to Blanco's work is divided into three sections: I) Biographical Data, II) The Spanish Protectorate Administration of Morocco And Blanco's Place In It, and III) A General Critique of Blanco's output as presented in this volume. This presentation is selective, not all-inclusive, because although much of Blanco's material dealt with Rifian sociopolitical institutions, not all of it did so,
121 by any means. Hence, regarding my own initial acquaintance with Blanco' work, I can do not better to quote from my original article.[2]

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[2] --Op. cit., p. 173.

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> "Emilio Blanco is not listed in the Spanish Dictionary of National Biography, and before I went on my first field trip into the Rif Mountains of what, until 1956, was the Spanish Protectorate of Morocco, I had never heard of him. After my arrival in the then protectoral capital of Tetuan in February 1953, I stumbled across two of his works in the library of the Delegation of Native Affairs. I picked them up casually, and then began to read them with an avid and ever-increasing interest. Three months later, when I actually began my own researches in the Rif, I came to hear his name so often, from the lips of Spanish army officers and Rifians alike, and always coupled with the highest praise, that I began to wonder if an assessment of his contributions to the field of Berberology (i.e., Berber sociology) might not be worthwhile. After reading more of his writings, both published and unpublished, and finding out more about his policy as a tribal administrator, I became convinced that it was worthwhile, if only to rescue his name from the ethnographic oblivion into which it had fallen, and to give credit where credit was due."

121 I wrote these words in 1958, and since then I have not altered my opinion. After the publication of this preliminary article, however, I had entertained the idea of preparing for publication, with the kind permission of Col. Blanco's widow and family, all his unpublished manuscripts and notes having to do with Berbers, the Rif and Morocco generally; but during the month of March 1960 which I spent in Madrid going over his material, I became convinced that because of the fragmentary and disparate nature of much of this, it would be far [127] too unwieldy a project to undertake. I therefore decided at this time to concentrate only on those data which had, in the language of social anthropology, "structural relevance"; and a continual shifting of Blanco's data since then - plus a second month of further archival research in Madrid, at the Africa Section (the Garcia Figueras collection, inaugurated late in 1966) at the National Library there, in April 1970 - has fully confirmed me in this decision, particularly

121 as I have had to drop the revision of my original Blanco manuscript
in order to prepare my own studies on the Aith Waryaghar[3] (or, in
Arabic, Bni Waryaghal, and in bad Hispanicized and bad Gallicized trans-
literations, "Beni Urriaguel" and "Beni Ouriarhel") for publication,
as well as because of further fieldwork elsewhere in Morocco and be-
121 cause of teaching and other duties. Hence a ten-year gap. In any
128 event, Blanco's copious unpublished papers on Rifian architecture and
114 house styles[4], for example, good as they may be, have no place in a
work of this kind; and the same holds true for his work on grave
decorations[5] and for his excellent treatise on dance forms in the Rif[6].
His undeniable qualifications as an artist, whether in sketch or
watercolor form, I am simply not competent to discuss, although his
ideas about Spanish Colonial policy in Morocco[7] will receive some
attention in Section II.

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113 [3]--*The Aith Waryaghar of the Moroccan Rif: An Ethnography*, and *The Aith Waryaghar of the Moroccan Rif: A History*, to be published simultaneously under the auspices of the Wenner-Gren Foundation for Anthropological Research, New York.

[4]--Emilio Blanco Izaga, *La Vivienda Rifeña*, Ceuta: Imprenta Imperio, 1930, *passim*.

[5]--Emilio Blanco Izaga, "Noticia sobre Arte Funerario Norteafricano", *Africa*, No. 52, Madrid, April 1946, pp. 19-21.

[6]--Emilio Blanco Izaga, "Las Danzas Rifeñas", *Africa*, Vol. V, No. 55, pp. 315-316; Nos. 56-57, pp. 414-419; and Nos. 59-60, pp. 547-551, Madrid 1946. The content of this important paper is discussed in detail in my preliminary study: cf. Hart, op. cit., 1958, pp. 220-237. Two of the drawings originally published in it are reproduced in the present monograph.

[7]--Emilio Blanco Izaga, "Política Africana", *Cuadernos de Estudios Africanos* (pub. by Instituto de Estudios Politicos, Madrid), I, 1946, pp. 43-56.

114 As noted in my preliminary study (1958), the only article which has ever been published about Blanco is one by Alfonso de Sierra Ochoa[8]. It is devoted largely to Blanco's achievements during the late 1930s, when he was the regional administrator of the Territory of the Rif, both as an architect of administrative policy and as an architect *per se*, as well as touching briefly upon his artistic abilities. Of basic biographical information, as well as providing any assessment of Blanco as a military ethnologist and as a student of 121 Berber social life, however, it says nothing at all. My 1958 article and this present introduction will attempt to fill in these lacunae; and we begin with Section I, Blanco's biography.

Section I: Biographical Data[9]

114 Emilio Blanco Izaga was born on March 15, 1892, in Orduña, in the north Spanish province of Vizcaya, just west of the Basque country and about 45 km. south of Bilbao. On August 30, 1910, he entered the Spanish Military Academy in Toledo where, on June 24, 1913, he was commissioned a second lieutenant of infantry, joining the 30th Regiment for garrison duty in Burgos. The following year he was sent to Morocco for the first time with the 6th Battalion of Figueras for duty in Larache, and the next two years saw him taking part in military

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(113) [8]--Alfonso de Sierra Ochoa, "Una Teoría de Arquitectura Politica y un Interventor Excepcional: El Coronel Don Emilio Blanco Izaga", in *Selección de Conferencias Pronunciadas en la Academia de Interventores durante el Curso 1950-1951*, Tetuan: Delegacion de Asuntos Indigenas, 1951, pp. 129-150.

[9]--This section is taken *in extenso* from Hart, op. cit., 1958, pp. 174-180. I am particularly indebted to Col. Blanco's son, Dr. Don Agustín Blanco Moro, of Madrid, and to Sr. Don Tomás García Figueras, of Jérez de la Frontera, who succeeded Blanco as Delegate of Native Affairs in Tetuan, for supplying me with the essential facts of Blanco's life.

114 operations against Raisuni in that sector (1914-1916). During this time, on June 24, 1915, he was promoted to first lieutenant.

Back in Spain in 1916, he became an Assistant Professor in the Military Academy in Toledo from which he was graduated three years before, and here, on March 6, 1919, he received his captaincy. He was then for a short time in charge of army recruits' pay in Plasencia, but was soon transferred to the 76th Infantry Regiment and sent to the Central Gymnasium (Escuela Central de Gimnasia) in Toledo, once again, where he remained until March 1927.

On September 28, 1919, he married Agustina Moro Pérez; there were six daughters and one son by this marriage, and as of 1960 Sra. Moro de Blanco was still living in Madrid.

It is of considerable interest to note that during the whole period of 'Abd al-Krim and the Rifian War (1921-1926), Blanco was not sent to the Moroccan front, and that his career as an interventor did not begin until April 10, 1927: Dr. Agustin Blanco informed me that his father was called into tribal administration (Intervenciones) solely on the basis of an unpublished report entitled Colonias Indigenas de Montaña, based presumably on his earlier experiences in Larache. He was first sent, as a captain in the Servicio de Intervenciones, to Punta Pescadores (later called Puerto Capaz, and, since Independence, Jibha) in the tribal area of the Ghmara bloc; from this base, he had to administer the tribes of the Mtiwa, Mistasa, Bni Smih, Bni Grir, Bni Rzin and Bni Khalid, all, save the first two, of the Ghmara group. He then took over the administration of the tribes of the Aith (Bni)

114 Siddat (from the office at Imasinen), Aith (Bni) Hmid, Bni Bu Shibt and Taghzur (from the offices at Adukan and Sha'ib), and Ktama (from the office at Badis), all belonging to a somewhat more eastern cluster of tribes known as the Sinhaja Srir. Until July 10, 1927, when Spain had officially accomplished the total pacification of Northern Morocco his job was the disarmament of practically all the members of the Ghmar and Sinhaja Srir tribal blocs, and to this end, in a region of conside able snowfall in winter, he created a Moroccan military unit of native ski troops, which he commanded until the end of 1929.

On January 1, 1930, Capt. Blanco, for the first time, moved east into the Rif proper by being appointed *interventor* of the tribe of the Aith 'Ammarth (Ar. Bni 'Ammart), succeeding Capt. (by 1958, Col., ret. Andrés Sanchez Pérez, himself an authority on Rifian history; he was there almost two and a half years, and on May 12, 1932, was transferre to the office at Izimmuren in the tribal territory of the Ibuqquyen (Ar. Buqquya or Baqqiwa). On July 27, 1934, while still a captain, he became the *Interventor Comarcal* (or regional *interventor*, generally a job for a major), at Ajdir, of the largest tribe in the Rif and in Northern Morocco, the Aith Waryaghar. On the site, at Ajdir, of 'Abd al-Krim's former headquarters, Blanco designed and built the new *intervencion* office, of an architectural style strongly reminiscent of the Berbers in Southern Morocco, along the south slopes of the Atlas On December 30, 1935, he was promoted to a majority, and less than a year later, on October 2, 1936, he became the *Interventor Territorial del Rif* (the territorial *interventor* of the Rif, generally a job held by a lieutenant-colonel).

114 It seems that from almost the beginning of his Moroccan experience it was the Rifian region which made the deepest impression on Blanco. Of the five regions into which the Spanish Moroccan Protectorate was divided, the Rif was always Blanco's first choice. He fell in love with its barren peaks and its austere and vendetta-minded inhabitants at once, and for over fifteen years he devoted almost all his time away from administrative duties to as systematic a collection of ethnographic data as he was capable. Although he found it politically expedient to use a native interpreter, the value of his investigations was materially augmented by the fact that he spoke Rifian fairly fluently, though not always correctly, and with a marked Spanish accent. When one considers that Rifian is generally recognized to be [197] the most difficult to learn (probably because it is the least pure) of the three major Berber languages spoken in Morocco, and particularly in view of the fact that the number of Spaniards who speak it is very small indeed, this is no mean achievement.

In 1930, after becoming interventor of the Aith 'Ammarth, Blanco published his first book. This, a pamphlet entitled La Vivienda Rifeña, is an informal treatise on Rifian house types, profusely illustrated with pen and ink sketches by its author, who not only showed himself a keen observer of Rifian housebuilding techniques, but an artist of no mean talents as well. He had a fine eye for artistic detail, and his sketches pulsate with life.

During his tenure as interventor comarcal at Ajdir, Blanco signed and sent in, on August 27, 1935, a report to the regional administration

114 of the Rif in Villa Sanjurjo (today Alhucemas or El Hoceima: properly,
al-Husaima) on the traditional segmentary tribe-clan-subclan-local
community-lineage organization of the Aith Waryaghar entitled Las
Yemáas Tradicionales de Los Ait Uariaguel - the traditional local
communities, or jma'ath (sing. jma'th) of the tribe in question. In
this report, and in conformity with his well-chosen illustrative
examples of the complex segmentation of the tribe, he recommended
that the Aith Waryaghar be divided, for the purpose of a more effec-
tive administration, into three qaidates, in accordance with the
natural geographical divisions of the Ghis-Nkur watershed. The re-
[128] port in question is translated in extenso in Book I of the text of
this volume: Blanco's recommendation was implemented by the authorities
in Villa Sanjurjo, and his administrative brainchild persisted until
the end of the protectorate. It is, furthermore, more than probable
that his promotion to the rank of major at the end of 1935 was a
direct result of the way in which he had convincingly solved this
knotty administrative problem.

In connection with this same report, Blanco drew up a series of
[126] five excellent tribal maps of the Aith Waryaghar, showing, first, the
traditional territorial-segmentary organization, then two maps showing
the changes - all with a view toward greater centralization - made
successively by 'Abd al-Krim during his tenure, and, finally, two more
128 showing those imposed by the Spanish Protectorate. All are reproduced,
with my corrections where needed, both in this volume and in my own
000 Aith Waryaghar Ethnography and History studies. No student of the

127 No student of the subject could possibly fail to recognize the tremendous value of maps such as these, which the then administration kindly lent me as an aid in my own work.

114 Civil war had now already broken out in Spain, and Emilio Blanco, like most of his fellow members of the corps of tribal interventores, was solidly pro-Nationalist. In July 1936, General Franco, after a historic meeting at the Yellow Plain of Ktama, won all the tribal elements of Spanish Morocco to his cause (not the least of which were the Aith Waryaghar who had fought so hard, with 'Abd al-Krim, against Spain only ten years earlier), was ready to march into his homeland as the Commander of the Spanish Nationalist Forces, now augmented with a large Moroccan contingent, one which, indeed, amounted to nearly half of the total Nationalist troops. Hence the then regional interventor of the Rif, Juan Bautista Sanchez Gonzalez, left Villa Sanjurjo to join Franco. Sanchez Gonzalez was succeeded by Major Blanco, and it was largely through Blanco's efforts and experience that the Rifians never once wavered in their allegiance to Franco during the next three years while Spain was wracked with strife. 114 65 We refer anyone interested in Blanco's attempts to improve the lot of the Rifians economically, through public works and irrigation projects, and in his architectural projects (schools, mkhazni posts, market tribunals for qaids and qadis, and intervención offices - notably that of the "castle" at l-Arba' Tawrirt, the Wednesday Market of the Aith Turirth, on which depended the southeastern Aith Waryaghar highlanders) to Sierra Ochoa's article, cited above.

114 While Blanco was the regional *interventor* of the Rif, he published, in 1939 and at the close of the Spanish Civil War, his second, and, in my opinion, his best book, *La Ley Rifeña*, vol. II - Part 2: *Los Cánones Rifeños Comentados* (Rifian Law, vol. II - Part 2: The Rifian Qanuns, With Commentary). This second part of a projected two-volume study of Rifian customary law was in turn to have formed one of a series of monographs on Rifian society and culture. (Several of the other such monographs exist in typescript or handwritten form amongst the Blanco family papers, and concern Rifian architecture.) It is the translation of the published second half of the Rifian customary law materials which in itself constitutes the second half of the present monograph. The first half is made up of what was to be the nucleus of the first volume on Rifian law, much of which is embodied in a long paper entitled *Derecho Consuetudinario de los Ait Uariaguel* (Customary Law of the Aith Waryaghar), read in December 1935 at an *interventors'* course in Tetuan. It is to be greatly regretted that Blanco never published this paper, the nucleus of the first half of his treatise on Rifian jural procedure, which appears here for the first time; but it also indicates something of the man's extraordinary modesty, which made him feel that he really did not know enough about the subject to commit it to print. That this belief was totally erroneous is amply proven by Volume II, which consists of photostatic copies of a number of Rifian *qanuns* or Customary Law documents drawn up in Arabic, translations of these into Spanish, plus a general introduction and detailed comments by Blanco on the

114 substance of each qanun. It is the concise, meticulous and exact nature of these comments which betray Blanco's mastery of the intricacies of Rifian Customary Law. And a second, undated report on Noticia sobre la Yemáa Rifeña (Notes on the Rifian jma'th, the local community), which stems from the same period, and which I discovered in the African Section of the National Library in Madrid, adds further touches of value to Las Yemáas Tradicionales de los Ait Uariaguel and to La Ley Rifeña: for indeed the published book and these various unpublished papers form an organic whole.

In 1940, Blanco wrote another long memorandum (again in the African Section of the Madrid National Library) on the tribe of the Igzinnayen, a nuclear Rifian tribe (bordering the Aith Waryaghar and the Aith 'Ammarth on the south), but at the time under French administrative control across the zonal border. By virtue of the original treaty of the protectorate, Spain should have had control of this tribe rather than France, Blanco cogently argues (in the colonialistic idiom of the time), because its mountains, higher than those of the Aith Waryaghar and the Aith 'Ammarth, dominate both of them militarily. [175] What had happened was that France had moved up from the south to occupy the Igzinnayen in 1926, effectively, as a result of the war against 'Abd al-Krim and the pincer movement waged against him by both the European powers concerned; and that this fact was resented by Spain emerges clearly in Blanco's report. However, this same report, entitled La Kabila Fronteriza de Gueznaia, although not the result of on-the-spot investigation, is based both on unpublished French documents and on

114 data supplied by informants of that tribe and of the Aith Waryaghar clans just bordering it. Much of the report is concerned with military and administrative information; but the ethnographic and historical data, all to be found in translation in Book I of the text, are clearly put and, for the most part, extremely accurate.

This report was dated April 1940. On June 28 of the same year, Blanco was promoted to lieutenant-colonel. It was about this time that he began one of his major architectural projects in the Rif, the building of the "castle" at Suq l-Arba' Tawrirt, the Wednesday Market of the Aith Turirth (*Zoco de Arbaa de Taurirt*, in Spanish), which was to become the headquarters for the local *interventor* of the Nkur *qaid*-ate of the highland Aith Waryaghar. This castle, in my opinion, was a magnificent piece of quixotry: architecturally in perfect harmony with the mountainous landscape, it was nonetheless quite out of place culturally: for it was modeled on the style of the Berber *igharm* or *qsar* of the High Atlas, with some three stories, and was constructed with the idea of providing the Rifians with a sample of what other Berbers in the South of Morocco had accomplished architecturally. The real idea behind this, of course, was to provide the Aith Waryaghar highlanders with a sense of "cultural continuity" with southern Moroccan Berbers; and this they simply did not and do not have. The castle itself, now a crumbling ruin and no longer used since the mid-1960s, sits on a mountain dominating the entire countryside, overlooking the Nkur River and the marches of another tribe to the east, the Axt (Bni) Tuzin. It is a rather magnificent folly, 114 and a real "castle in Spain" - in this case, transplanted to the Rif. It is also a prize example of Emilio Blanco's ultra-Spanish quixotry.

It seems, however, that in the construction of this edifice, Blanco went over the heads of some of his superior officers. The then High Commissioner of the Spanish Zone, Gen. Luis Orgaz Yoldi, viewed the building of the castle with disfavor, and on February 10, 1942, Blanco was sent off to Spanish Guinea as Secretary-General of that colony, mainly so that he could both be promoted and kept away from Morocco at the same time. However, due both to the fact that the steamy climate of West Africa was injurious to Blanco's health (he suddenly contracted a violent ulcer which up to that time had been quiescent) and that Gen. Orgaz seems to have had a change of heart in the matter, Blanco was recalled to Morocco before the end of the year. Perhaps as appeasement, Orgaz instituted the "Législation Blanco", as it was evidently known to the French, upon which Blanco had worked so ceaselessly during his tenure in the Rif: the establishment of constitutionally recognized jma'ath (jama'a-s) or local community councils (Sp. consejos de yemáa), in accordance with the traditional Berber governmental system of superimposed representation at all major political levels.

On November 5, 1942, Blanco was appointed Sub-Delegate of Native Affairs and Sub-Inspector of Khalifian Forces in Tetuan, and on August 8, 1944, he was promoted again to Delegate of Native Affairs. I have often heard it said that during his tenure, any Rifian was welcome in his office at any hour of the day or night. Favoritism, perhaps; but no apology is offered for it here, for my own interest in

114 Rifians led to my interest in Blanco.

On August 23, 1945, Blanco left Morocco, never to return. He was sent to the office of the Army Chief of Staff in Madrid, which was to be his final post.

The following year, 1946, his last three published articles saw the light, two in the Madrid monthly journal Africa and the third in the Cuadernos de Estudios Africanos organ of the Institute of Politica Studies, again in Madrid. The first two were ethnological in character, as befitting the journal in which they appeared, and the third was political, again befitting the second journal. Of the first two, one was a short and well-illustrated essay entitled Notas sobre Arte Funerario Norteafricano, a study in comparative ethnology. In this, Blanco compares Rifian gravestone decorations with those of two Jewish cemeteries in Shawen and Tetuan, which, as Delegate of Native Affairs, he had an opportunity to visit. The second is a much longer essay, which appeared in three instalments, called Las Danzas Rifeñas. This treatise is a definitive work on Berber dance forms in Northern Morocco, and in it Blanco reaches his artistic peak as a master of the pen-and-ink sketch. The content of the third essay, which deals (128) in a fundamental way with the whole position of Spanish colonialist aims in Morocco, will be discussed in its proper place in the next section of this introduction.

On March 23, 1948, Blanco received his final promotion, to full colonel, but the stomach trouble he had contracted in Spanish Guinea was to prove too much for him. He died on April 29, 1949, in the Military Hospital in Madrid, at the comparatively early age of fifty-seven.

Section II: The Spanish Protectorate Administration, And Blanco's Place In It

000 One major excuse, among others, for the Franco-Spanish Protectorate over Morocco, established in 1912, was, on the part of the protecting powers, that the Sultan of Morocco and his government, or *makhzin*, were no longer capable of controlling or even running their own country, in which "anarchy", in the shape of pretenders to the throne and tribal revolts, was rampant. It was held that the Sultan and the *makhzin* held fiscal control over the Arab tribes of the plains areas near the coast which loosely constituted the *blad l-makhzin* or government-controlled land, but that they were, conversely, powerless to check the incursions of mountain Berber tribes from the Atlas and from the Rif, the so-called *blad s-siba* or "land of anarchy", whose inhabitants, though giving spiritual recognition to the Sultan as Commander of the Faithful, yet refused to pay him taxes when due. It was also held that the borders of *makhzin* and *siba* lands were eternally in a state of mild fluctuation, but that the situation as described was essentially a permanent one.

It is not our purpose to discuss the merits or demerits of this interpretation here. The real point, of course, was that certain European powers had already acquired extensive commercial and other interests in Morocco, and did not wish to see them jeopardized. Colonial dickering by the powers continued, and the result was that Great Britain and Germany moved on to other colonial pastures, while France, having already taken over Algeria (1830) and Tunisia (1881), 000 wanted to consolidate her North African empire, while it was at the same time recognized that Spain had long had certain "historic claims" to parts of the North Moroccan coast, ever since 1492 when the Nasrid Amirate of Granada officially came to an end and Islam was kicked out of the Iberian Peninsula. For Spain's presidios (later known as *plazas de soberania*) on the Moroccan coast are indeed of long standing Ceuta (Ar. *Sibta*), occupied in 1410 by the Portuguese and then ceded to Spain in 1580; Melilla (Ar. *Mlilya*), occupied in 1497; and the Island of al-Husaima (Sp. Alhucemas), overlooking, from the Mediterranean, the land of the Aith Waryaghar and the Central Rif, in 1673; and several others of lesser importance. The fighting during the *Reconquista* of the Iberian Peninsula had been savage on both sides; and, as the winner, Spain hence laid claims to her territorial share of the spoils. Her much later wars in and around Tetuan in 1859-1860, and near Melilla both in 1893 and in 1909-1912, merely intensified these claims to a solid "zone of influence" in Northern Morocco. Again, for our purposes, there is no need to attempt to justify or refute the claims concerned; we merely take them as "givens".

It is, of course, in the nature of most colonial and protectorate administrations that much of the literature which attempts to justify them has been written by nationals of, and indeed, participants in, the protectorate power concerned. This is as true of the small Spanish protectorate - or rather, sub-protectorate - of Morocco as of any other; for by the terms of the partitioning Act of Algeciras of 1906, France got the lion's share of Morocco while Spain was to be

000 sublet only the small northern dorsal ridge of the country (one-twentieth of the total extent of the Sultan's domains) as well as an equally small piece of its southwestern desert. Both of these widely disparate chunks of Moroccan territory (of which the former was turned over, with the French Zone, to Independent Morocco in 1956, while the latter was only ceded in 1958) were handed over to Spain because of Spanish "historic claims", as aforementioned, and, in a sense, as a sop to Spanish colonialist sentiments about Lebensraum in Morocco, of which more later. There is a considerable body of literature in Spanish which attempts to justify these claims, to assert that Spain was thwarted in the division of the protectorate spoils of 1912 (which, of course, is true), and which, in general, regards the Spanish Protectorate - a small, northern appendage of the French one - as a victim of circumstances, one which needed to be administrated as best it could.[10]

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113 [10]--For traditional Spanish views on the historical background of the Spanish protectorate, cf. Tomás García Figueras, La Acción Africana de España en Torno al 98 (1860-1912), 2 vols., Madrid: Instituto de Estudios Africanos, 1966, and for that on the presidios, cf. Enrique Arques, Las Adelantadas de España: Las Plazas Españolas del Litoral Africano del Mediterraneo, Madrid: I.D.E.A., 1966. For a variant viewpoint, with consideration of diplomatic sources, see Henri Marchat. "Les Origines Diplomatiques du 'Maroc Espagnol' (1880-1912)", Revue de l'Occident Musulman et de la Méditérannée, VII, 1, 1970, pp. 101-170. On the protectorate itself, there is a worthwhile English summary by Nevill Barbour in Nevill Barbour, Ed., A Survey of North-West Africa (The Maghrib), 2nd Ed., Oxford University Press: Royal Institute of International Affairs, 1962, pp. 67-69, 137-172. Cf. also especially Tomas Garcia Figueras, Marruecos: La Acción de España en el Norte de Africa, 4th Ed., Tetuan: Editora Marroquí, 1955, and España y Su Protectorado en Marruecos (1912-1956), Madrid: I.D.E.A., 1957.

000 The French Protectorate became a reality in March 1912, and the Spanish (sub-) Protectorate did so in November of the same year. The administrative structure of both was remarkably similar, and when we assert that the French system provided, in large measure, a blueprint for the Spanish one, this is in no way to be construed pejoratively. For what happened in practice, despite the structural mirror images which gave the two protectorates appearances which were fairly close to, though by no means completely, identical, was, indeed, the complete independence of the one from the other. This independence was underscored by the fact that the Spanish Alto Comisario, or High Commissioner, in the Spanish protectorate capital of Tetuan, rarely, in historical fact, saw eye to eye with his opposite number, the French Résident-Général in Rabat; and this was so despite a wholesome Spanish respect for Marshal Lyautey and most of his ideas. Yet each of them stood in exactly the same relationship to the supreme Muslim authority in each zone: the French proconsul to the Sultan himself and the Spanish one to the khalifa, the Sultan's cousin, whom the latter delegated in 1913 as his representative in the North. Hence the khalifa was nominally subject to the Sultan, but, as Barbour observes, he acted in fact with complete independence[11], while the High Commissioner represented the apex of a Spanish administrative pyramid, the function of which was "to advise and to intervene", and which was conceived as being parallel (or even superior) to the native Moroccan makhzin of the North Zone[12]. Although most of the actual office-

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11--Barbour, op. cit., p. 147.
12--ibid., p. 163.

000 holders in the new protectorate administrations were given different titles in each zone, one is nonetheless tempted to imagine that their "job descriptions" must have resembled each other closely.

There was, however, one very important difference: the French administration was only partially military in character, while the Spanish one (except during the civilian years of the Spanish Republic, 1931-1936) was, to all intents and purposes, totally so. Indeed, one of the major roles of Spanish Morocco, one which was always assumed but seldom explicitly mentioned, was that of acting as a training ground for the Spanish Army. Hence the history of the protectorate and its up-and-down support and opposition in the Iberian Peninsula, which is not our concern here, is more closely linked to that of Spain itself than that of French Morocco is to metropolitan France.

Only the initial blueprints for the administration of the Spanish Zone were laid down in 1912-1913, however, because the pacification of the protectorate had to be taken care of before any ground rules could be made to apply in a positive manner. In grossly simplified
[648] terms, this involved first the subjugation (on a back-and-forth basis)
[175] of the notorious holy man-cum-bandit Raisuni and his cohorts in the Jbala region in 1913-1920; then the far more serious task of putting down (with French help) 'Abd al-Krim and the Rifians in 1921-1926; and finally, the mopping-up of the last pockets of resistance in the Sinhaja Srir and Ghmara areas, in the center of the zone, and between the Jbala and the Rif, in 1926-1927. Hence full-scale implementation of the new administrative structure could not begin until total tribal disarmament had been completed, in July 1927.

000 For present purposes, and quite aside from other "delegations" created in Tetuan which all depended equally upon the High Commission, the chief instrument in the disarmament and then subsequent administration of the rural and tribal areas in the Spanish Zone was the Military Intervention Service, or Servicio de Intervenciones Militares, which depended directly upon the Delegation of Native Affairs (Delegacion de Asuntos Indigenas) in Tetuan, which, in turn, depended directly upon the High Commission and was, indeed, its chief administrative organ.

Just as, by the provisions of the Treaty of Fez in 1912, the High Commissioner himself "intervened" in the khalifa's administration of the zone's Muslim population, the whole concept of "intervention" or intervención became the operative one both at the territorial and at the local, tribal levels as well. The intervención concept was, more than any other, the centerpiece of Spanish administration in the North Zone, and it was directly comparable to that of the French Officiers des Affaires Indigènes in the very much larger South Zone, in that it was, in both cases, army officers who were responsible for such administration. (As noted, however, congruence was only partial in the French case: only the mountain Berber tribes of the French Zone had military A.I. officers to administer them, while the Arab tribes of the plains fell under the jurisdiction of Controleurs Civils. Hence the correlation was not complete.) At the same time, however, the evidence is clear that the Intervenciones Militares were not directly modeled on the French Affaires Indigènes system, nor, indeed, could they have been, in point of time. Both systems, in fact, go back to

000 the French *Bureaux Arabes* of Algeria, which, on the Spanish side, were certainly the direct inspiration on the *Intervenciones*. Contemporary Spanish sources, notably Capt. Candido Lobera, an influential architec of early Spanish policy in the Rif, as well as (from 1902) the editor of the Melilla newspaper *El Telegrama del Rif*, are quite explicit on this point - one on which later Spanish sources tend to hedge[13], possibly because of misgivings (in our opinion, totally unwarranted) regarding the French origin of the concept.

In the initial period after pacification, the Spanish authoritie tended to divide up the administrative territories of their zone along ethnic lines entirely, but by the 1930s they had decided that such a division produced blocs of territory which were too unequal in size. Hence a compromise was reached, and one which, furthermore, did no violence to pre-existing tribal structures or territories. What it amounted to was, in effect, the division of the zone into five *territorios* or "territories" of more or less equal size, each with its regional or territorial capital and each with its regional or territorial interventor, the *Interventor Territorial*. Reading from west to east, these territories were: 1) *Jbala*, with its regional capital (apart from the zonal capital), in Tetuan, and consisting of 11 tribes

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113 114 [13]--Capt. Cándido Lobera Girela, *Memoria sobre la Organización y Funcionamiento de las Oficinas de Asuntos Arabes de Argelia: Proyecto de Bases para la Creación de Organismos Analogos en las Plazas en el Norte de Africa*, Melilla: Tipografia "El Telegrama del Rif", Sept. 1905, pp. 31-42. The title of this work alone is a give-away. Hence the asseveration of José María Cordero Torres (*Organización del Protectora Español en Marruecos*, 2 vols., Madrid: Editora Nacional, 1942-1943, vo II, p. 6) to the effect that the *intervenciones* were derived from the earlier Spanish *encomienda* system in Latin America may be regarded as completely erroneous.

000 (qabilas), for which there were 6 Interventores Comarcales (District Interventors), and 15 Interventores de Primera Clase (first-class interventors, generally army captains or lieutenants); 2) Lukkus, with its regional capital Larache (l-'Ara'ish), and 14 qabilas; with 5 Interventores Comarcales and 12, de primera clase; 3) Ghmara, with regional capital at Shawen, with 13 qabilas, 4 Interventores Comarcal and 14, de primera clase; 4) Rif, with regional capital at Villa Sanjurjo (al-Husaima), and with 18 qabilas, 4 Interventores Comarcale (one for the Aith Wayaghar), and 17, de primera clase (of which three for the Aith Waryaghar); and 5) Kart, with regional capital at Nador, with 14 qabilas, 6 Interventores Comarcales, and 17, de primera clase

These figures are worth citing not only because the North Zone contains some 70 tribal groups, as here defined (the figure is not qu accurate, erring a bit on the side of plenitude), but because it is, i general, one of Morocco's highest areas of rural population, especiall in the Central Rif. The Spanish administration was evidently never completely cognizant of this fact (which came through very clearly as a result of the first census conducted in Independent Morocco, that of 1960), but nonetheless seemed to maintain a general awareness of it: for, as Montagne remarks, as of 1939, Spanish interventores seemed to outnumber their French Affaires Indigènes counterparts by three or four times, on the ground[15], in a comparative sense. (Sanchez Perez

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[113] [14]--T. Garcia Figueras and J.L. Fernandez-Llebrez, Manuales del Africa Española, II-Marruecos, Madrid; I.D.E.A., 1955, pp. 157-158.

[15]--Robert Montagne, La Política Africana de España, translation of unpublished report by Servicio de Intervenciones de la Región de Gomara, Chauen, Oct. 1939, 57 pp. (my ref. to p. 33). Catalogue No. Ca. C-14 in Garcia Figueras Collection, Seccion Africa, National Library, Madrid.

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114 (Sanchez Perez mentions the population density of the Aith Waryaghar, in the mid-1940s, as being 65 individuals per sq. km., a figure which would be outrageously high for much of the Atlas Mountains today, but which by the time of the 1960 census had in Waryagharland - or at least in the Plain of al-Husaima - doubled, virtually, to 120...[16])

000 Such facts indeed reflect the density of the local tribal population in the North Zone, but they also reflect the density of the local administration - and nothing has been said about urban administration, at that. The total population of the North Zone, in the 1950s, was just under a million; and even so, the thickness at ground level of administrative personnel would argue for a very direct form of administration. In actual fact, this was not quite so.

Each of the five territories of the zone had its *Interventor Territorial*, usually a lieutenant-colonel who reported directly to the *Delegación de Asuntos Indígenas* in Tetuan. Below him, in the administrative hierarchy, were several *Interventores Comarcales*, usually majors, and then *Interventores de Primera Clase*, usually captains, who were often seconded by lieutenant *Interventores de Segunda* who were the neophytes of the service, young men sent out to learn.

The real point about the *intervencion* system in the tribal areas, however, is that the Spanish *interventor de primera*, usually a captain, and the *qaid* or chief of the tribe which he administered were opposite numbers, each in his own separate hierarchy. For the *interventor de*

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[113] [16] 16--Andrés Sánchez Pérez, "Datos Históricos sobre Ciudades Rifeños", *Selección de Conferencias y Trabajos Realizados Durante el Curso de Interventores 1951-1952*, Tetuan: Alta Comisaria de Espana en Marruecos, 1952, pp. 29-47 (my ref. to p. 31).

000 *primera* was low man, generally, on an administrative totem pole which went back through the *interventor comarcal*, then through the *interventor* regional, and finally back to the *Delegación de Asuntos Indígenas* in Tetuan - and, ultimately, up to the High Commissioner. [631] Yet this same interventor was on a par with the tribal *qaid*, usually a man nearly twice his own age, who himself happened to be at the top of his own particular pyramid, consisting (administratively) of village or community *mqaddim*, clan or "fractional" *shaikh*, and, finally, *qaid* of the tribe, the ceiling administrative unit (except in the case of the Aith Waryaghar, who, until Emilio Blanco appeared, were rather too large for effective administration along normal lines...). But the break in the system occurred just at the *qaid-interventor* point, at the point, precisely, of foreign administrator and local strongman and in theory, the latter could only pipeline messages back to the capital through the former - though in fact, if he were wise and should the situation require it, he generally had other methods of communication as well. (And since Independence, although the *qaid* is often a non-local civil servant, and although his local *shaikhs* and *mqaddmin*, of clans and villages respectively, depend, as he himself does, on the Ministry of Interior, their own particular abilities at "break-through" even to the local provincial authorities depend on the number of friends they have "at court", and on the local patronage-clientage network. Rifians, at least, state categorically that in Spanish times
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175 the *qaid*, whatever his shortcomings, was one of themselves, and, in retrospect, that the Spanish *Intervención* usually tended to choose the right man for the job.)

114 It is now appropriate to introduce Emilio Blanco Izaga into this same *intervención* system, of which he made so much and for which, in the Rif, he did so much. His effectiveness was achieved largely in the decade of 1930-1940, during a period of extreme strife in Spain itself. One cannot, of course, have everything; but in one sense it is perhaps unfortunate that Blanco was unable to participate actively in Spain's war against 'Abd al-Krim: for it is possible that some of his ideas about the resuscitation of Berber Customary Law (*ca'ida* or *'urf*) in the Rif might have become considerably modified had he done so. He did not realize that by the time he himself had arrived on the scene, Customary Law was already a dead letter, and that 'Abd al-Krim, at the zenith of his power in 1923-1925 and in his role of religious reformer (for he was a former *qadi* who had been strongly influenced by the Salafiya Movement), had been responsible for its demise[17].

Thus, in 1930, Emilio Blanco, quite unwittingly, seems to have begun his career as an *interventor* with a possible strike against him. For 1930 was the year of the famous - or notorious - "Berber Dahir" in the French Zone; and although the official Spanish attitude toward it, and toward the formal support to be given to Customary Law - as opposed to Orthodox Maliki Muslim Law (with which it was in fact in agreement on most, though not all, major issues) - in the large Berber-speaking areas of the French protectorate, was one of outright

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[113] 17--Cf. Pessah Shinar, "'Abd al-Qadir and 'Abd al-Krim: Religious Influences on their Thought and Action", *Asian and African Studies: Annual of the Israeli Oriental Society*, I, 1965, pp. 139-174; and cf. also D.M. Hart, *The Aith Waryaghar of the Moroccan Rif: A History*, Chapter III, to be published.

114 disapproval, Blanco was to become a leading spirit of protest, on the Spanish side, in favor of the decree. His attitude about it evidently faithfully echoed that of many of his co-officers in the intervención service. They felt that the Spanish "Africanist League" should have had its way in 1925, while the Rifian War was still on, and seen to the imposition of Berber Customary Law throughout the Rif, from the Wuringa River on the west to the Nkur River and the Thimsaman to the east[18]. None of these people, Blanco included, had reckoned with the now departed 'Abd al-Krim, exiled by the French on Reunion Island (so that the Spaniards would not execute him), as the agent of social change that he was[19]. The plain fact was 'Abd al-Krim had effected so many changes in the Rifian politico-jural system that, once the war was over and disarmament of the tribes had been completed, the Spanish administration really had no option but to continue where he left off. It also would seem more than probable that the expenditure and outlay (to say nothing of the paperwork) involved in such a regional restructuring of the judiciary, or of one segment of it, would have been more than the protectorate budget could stand, particularly after a long and costly war.

Yet the evidence is clear that up, at least, until April 1939 Blanco kept forwarding indignant memoranda to the High Commissioner in Tetuan urging the adoption of a Customary Law system for the Rifians, along the lines of that already created by the French for the Berber

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(113) [18]--Cf. Cesareo Rodriguez Aguilera, Manual de Derecho de Marruecos, Barcelona: Bosch, 1952, p. 109.

[19]--Cf. D.M. Hart, "An Ethnographic Survey of the Rifian Tribe of Aith Waryaghar", Tamuda, II, 1, Tetuan 1954, pp. 51-86.

tribes in their zone. He also tried his best to "unify" Moroccan Berber culture in other ways, e.g., by providing the Rifians in Waryagharland, at least, with Southern Moroccan qsur styles of architecture with which they were totally unfamiliar. The Qasba (to grace it with the Arabic name, rather than with the Spanish alcazaba) at Arba' Tawrirt, the Wednesday Market of the Aith Turirth, is a magnificent construction, and blends most harmoniously with the landscap but today it is a crumbling ruin, because it is no longer useful, for tastes and ideas have changed. In this sense, Blanco's ideas were much like those of Marshal Lyautey: to preserve Traditional Morocco in a vase clos. As Lyautey was enchanted with the city of Fez, so was Blanco enchanted with the Rif. But neither of them was able to put his finger in the dyke of social change. In very much the Frenc manner, Blanco kept stressing the politico-jural "differences" betwee Rifian Berbers and Arabs in the Spanish Zone. This is, of course, one crucial point where his sociological analyses go astray; and a wise protectorate administration evidently recognized the fact by ignoring his repeated requests for the implantation of Customary Law.

It is also possible (as was suggested to me by Blanco's widow) that Blanco's frequent head-on collisions with the administrative higher-ups over matters of this sort led to the eventual blockage of much of the material which he had prepared for publication. The secon part of La Ley Rifeña was published, but the first part was never even finished - and its excellent fragments appear here, in translation, for the first time. It seems, indeed, that Blanco had real difficulti with the bureaucracy, and that, in particular, the late Sr. Don José

114 Diaz de Villegas, the former Director of Morocco and Spanish Colonies (Director de Marruecos y Colonias) in Madrid, successfully blocked the bulk of his most important manuscript material on the Rif for publication.

What is really needed, of course, in order that scholarly research in any discipline may be able to get to the roots of the intervención system is not so much the formal "chain-of-command" tables, and the accompanying rules and regulations, which abound in the literature, but a perusal of the day-to-day, week-to-week, month-to-month and year-to-year correspondence between Tetuan and the five territorie of the Spanish Zone. Only in this way will the real meat of the syste be revealed. As yet, this type of correspondence is not available in the otherwise admirable personal archives of Sr. Don Tomás García Figueras, which may be consulted in the Africa Section of the National Library in Madrid. Perhaps some day some of this documentation may eventually be forthcoming: for many of Blanco's reports show his preoccupations about the building of a mosque at Point X, the construction of a spring or well at Point Y, and the cementing of an irrigation ditch at Point Z, to say nothing of the interminable court cases which came up every week, on market day, in the tribunals both of the tribal qaid and the tribal qadi. These were, and still are, day-to-day problems on which both a running commentary and some attempt at analysis would be helpful; and distressingly little is made of them in the literature.

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Blanco may have been unrealistic about Customary Law, but he can hardly be said to have been so about Rifian sociopolitical units, as his *Traditional Jma'ath* paper of 1935, his *Note on the Rifian Jma'th* paper of about 1938 and his published *La Ley Rifeña* of 1939, amongst other documents authored by him which are translated in this volume, abundantly point out. His point on clan (or "fractional") autonomy, within a tribal context, was delivered so convincingly in his 1939 *La Ley Rifeña* that the administration really began to take notice of the *Interventor Territorial del Rif.* It has to do, in such a neat way with the relative autonomy, from each other, of top-level segments, or clans, in a tribe, that we leave the argument behind it for the appropriate parts of the text, to speak for themselves. For, unlike much of the French literature, one leaves the reading of Blanco's materials with the distinct impression that he really understood something about some of the theory behind segmentary societies, amongst which the Rifi tribes could all traditionally be numbered. His theoretical conclusions of 1939 led to the "rural junta" reforms of 1942, inaugurated under the High Commissionership of Gen. Luis Orgaz Yoldi very shortly before Blanco himself began to take a more high-level policy participation in them as Delegate of Native Affairs. Blanco did not live to see the creation of the clan or "fractional" *juntas*, or *juntas de farq*, in 1952, in which each tribal clan was in effect accorded its own separate budget and its council consisted of an elected member of every local community in it[20]; but he would no doubt have been happy to find that, bit by bit, a few more snippets of civic responsibility were being inculcated in the tribal areas, and that many of the articles in the decree concerned strongly echoed views which he had previously recorded in his own memoranda.

20--Cf. Garcia Figueras, op. cit., 1957, pp. 294-304.

114 The creation of the new clan councils persisted until the end of the Spanish Protectorate in 1956; and in concluding our remarks about the protectorate it seems appropriate to make a brief assessment of the ideology behind it: for this ideology was strongly if not totally endorsed by Blanco himself, in a published article in 1946[21]. His viewpoint, nicely and previously gauged by Robert Montagne (himse a latter-day architect of Berber policy in the French Zone), in an unpublished paper of 1939, after a visit to the Spanish Zone just after the conclusion of the Civil War[22], may hence be taken as thor-
000 oughly representative. Montagne refers to the central feature of this ideology as "encirclement", an almost claustrophobic Spanish fear of being hemmed in by both France and England, and the relevant passage in his paper is worth quoting (the translation is my own):[23]

> "Spain felt threatened both by France and England (i.e., at the time of the colonial "grab" in the nineteenth century: translator's comment), and hence to one part of enlightened Spanish public opinion, the mountains of the Rif and the Jbala represented a (polar) frontier with the Pyrenees which gave Spain a kind of strategic protection. But this frontie was badly defended: the profound unity of the Sharifian Empire, cemented by centuries of history, could not help imposing itself upon Moroccans of the Spanish Zone. On the other hand, great breaches are opened in the east by the Mulwiya Plains, the Aith Bu Yihyi gap which threatens Melill while in the center are the French observatories in the Igzinnayen, from which (Central Rifian) point the whole Plai of al-Husaima can be held under fire. (Translator's comment

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[21]--Cf. Emilio Blanco Izaga, "Politica Africana", op. cit., 1946.
[22]--Robert Montagne, La Política Africana de Espana (trans.), Servicio de Intervención de la Región de Gomara, Chauen, Oct. 1939, MSS., 57 pp. Catalogue No. Afr. GF Ca. C-14 (in Africa Section, National Library, Madrid).
[23]--P. 46 of Montagne, ibid., MSS., 1939.

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> this last observation is resoundingly echoed by Blanco himself in his comments on strategic factors in his own unpublished Estudio Relativo a la Kabila Fronteriza de Gueznaia, MSS., April 1940, in which he complains, with some justification, that as a result of the joint Franco-Spanish campaigns in 1925-1926, the French occupied the territory of the Igzinnayen tribe, territory which would originally have fallen to Spain under the initial protectorate agreements; and that the French refused to give it up. It is patently obvious that this Igzinnayen territory dominates the Plain of al-Hussima even more than does the Jbil Hmam of the Aith Waryaghar - for it is higher.)
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> 000 Finally, in the west, the Atlantic plains of l-Qsar and l-'Ara'ish are favorable to the advance of modern armies. Spanish nationalism may be irritated at seeing the preponderance of France in Oran (Algeria), where 250,000 Spanish immigrants, over the course of a century, became transformed into French colons. And Tangier, with its international regime, zealously guarded by France and England, also appeared sometimes as an irredentist zone. So thus the Spanish Rif, shut in behind a double fortress of mountains and fortifications, maintained a precarious state of equilibrium. Part of the tribal contingents would serve to guard the 'threatened' frontiers, and others would come to act as Franco's praetorian guard, to give the military regime of Nationalist Spain a mercenary support of proven fidelity. Hence the nationalism in the cities was thus the only internal threat, and not a great one at that.
>
> "But this project has one weak point: it presupposes the total passivity of the Spanish Zone, proportionately one of the most heavily populated regions of Morocco....."

The above passage of course reflects a thoroughly French point of view, one not calculated to appeal to Spanish Nationalists of the period, with whose administration in their own zone of Morocco Montagne was otherwise in sympathy: for a keynote of his paper is greater inter-zonal cooperation. It is thus of interest to compare [114] Montagne's views with those of Blanco himself, which, as expressed in his 1946 article, are equally throughly Spanish.

114 Stripped of colonialist rhetoric, it is evident that Blanco's principal concern is with the frontiers of Spain, first of all, and secondly, with Morocco as a natural prolongation of these frontiers. The small northern zone of Morocco which was awarded to Spain through the agreements of 1906 and 1912 was not commensurate, he argues, with the greatness of the Spanish nation and with its role in history; and hence wounded personal and national pride, quite naturally perhaps, comes out as strongly in Blanco's writing on this subject as it does in that of any of the other apologists for Spanish colonialism in Africa. However, Blanco is rather more forceful here than most, and takes the view that Spain's southern frontier should not have been merely relegated to the Rif, but that it should have encompassed the whole of the Atlas chain and the Dra Valley as well, ie., in effect, all of Morocco, to link it up with the Southern Spanish Protectorate and the Spanish Sahara in the south. (His point is, of course, although he never actually says so, total exclusion of the French.) He adduces a notion of complementary frontiers, the Atlas for the Iberians and the Pyrenees for the Berbers. Spain and Morocco, he holds, represent a single cultural unit, a Western Mediterranean one of transition between Northern Europe and Black Africa: of this unit, the upper, northern Iberian half is wealthy and progress-oriented, while the lower, southern Berber half is backward, rude and impoverished. Hence, Spanish security cannot admit any foreign infiltration into this area and Blan[illegible]ees no solution other than the careful gaining of the good-[illegible] of its inhabitants,

114 not through domination of its soil in the old colonial manner, but because of the fact that the Spanish colonial mission is vital and of the spirit. Spain's historic claims, after seven centuries of Muslin occupation, are to see in Morocco a first line of defence across the straits, and ultimately, the mission of the Spaniard and that of the Berber are one and the same. It is not political, racial or religious in character; it is, rather, to relate between continents. Both peoples, Berbers and Iberians, represent continental appendages in contact (apéndices continentales en contacto), as he argues with a certain nicety (p. 55). In short, they understand each other very well, and to cement such understanding they need the higher interests of mutual security. Beside considerations such as these, factors such as differences in language and religion are of very secondary importance.

000 In our opinion, this represents a more-than-adequate synopsis of the ideology behind the Spanish Protectorate. On the analogy of "flogging a dead horse", there seems now little to be gained either in supporting its (often questionable) premises or in dissecting them. The only real point which need be made, now that the protectorate itself has passed into history, is that, in its critical final stages, at least, there was nowhere the searing hatred by North Zone Moroccans of Spaniards which characterized and typified relations between South Zone Moroccans and the French, in the early 1950s. But then economic development had been almost nil in the Spanish Zone, most Spanish colons were nearly as poor as the Moroccans were, and the gulf between have and have-nots simply did not exist. It may have been, in a sens

000 a case of the one-eyed leading the blind, but Blanco was certainly correct in describing it as a venture of the spirit rather than as one of development. And in this fact resides the so-called "mystic mission" of the *interventor*.

Section III: General Critique of Blanco's Work As Here Presented

114 In the opinion of the present writer-editor, the core, and certainly the most interesting aspect, of Emilio Blanco's work, both published and in MSS. form, revolves around Rifian social structure, in the most extensive and all-embracing use of this concept. We use the terms "both published and in MSS. form" advisedly, because the present edited and annotated translation is an amalgamation of the two. As noted above, Blanco in 1939 published a work entitled *El Rif (2a. Parte: La Ley Rifeña): II - Los Cánones Rifeños Comentado* (The Rif: 2nd Part: Rifian Law: II - The Rifian Qanuns With Commentary under the auspices of the *Alta Comisaria de España en Marruecos: Delegación de Astunos Indígenas: Centro de Estudios Marroquies* (High Commission of Spain in Morocco: Delegation of Native Affairs: Cent of Moroccan Studies). As indicated by the title, this slim volume of 151 pages was only the second section of the second part (or possibly only the latter) of what would have been a much longer, general study of Rifian ethnography in an overall sense, if it had ever seen the light of day - or so Sra. Blanco and Spanish officers who knew her husband informed me. The first part, or first volume, consists, in typescript, and, in the main, of five completed chapters of a projecte

114 seven-chapter work, which as it stands is entitled *Conferencia sobre Derecho Consuetudinario Rifeño* (Lectures on Rifian Customary Law), and dated December 17-18, 1935, plus numerous isolated fragments of information (some in typescript, most handwritten) which bear on the same subject in one way or another. There are, in addition, four other shorter typescripts, and, of these, the first two I found not amongst the Blanco papers in Madrid, but in the archives of the Bureau of Ajdir, the *intervención comarcal* site for the Aith Waryaghar, where they were kindly brought to my attention by the then administrator of that tribe, Capt. José Rodriguez Erola, in 1955. The third I found in the Blanco archives in 1960, and the fourth, plus a duplicate of the second, in the Africa Section of the National Library in Madrid in 1970. These papers are: 1) *Las Yemáas Tradicionales de los Ait Uariaguel* (The Traditional *Jma'ath* of the Aith Waryaghar), dated Ajdir, August 27, 1935; 2) relevant sections from a longer administrative report entitled *Estudio Relativo a la Kabila Fronteriza de Gueznaia* (A Study on the Border Tribe of the Igzinnayen[24]), Anexo al Boletín de Informacion, Num. 4, dated April 30, 1940; 3) an unpublished introduction, in typescript, to the work on the Rifian *qanuns* (to be referred to henceforth as *La Ley Rifeña*, or simply as *LR*) published in 1939, which deals with Blanco's hypotheses regarding the survival of Berber Custom and Common Law in an Islamic country and context;

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[101] 24--The Igzinnayen are referred to in this particular context as a "border" tribe because they are the one Central Rifian tribe located in the then (before 1956) French rather than in the then Spanish Zone of Morocco. The memorandum in question bears the catalogue no. U/ñ in the Garcia Figueras collection of the Africa Section in the National Library, Madrid.

114 and 4) *Noticia sobre la Yemáa Rifeña* (Note on the Rifian *Jma'th*), which is undated but could have been written any time from about 1936 to 1940, probably closer to the latter date, and which is concerned largely with the perpetuation of the Rifian *jma'th* as an ongoing social unit in a modern administrative context[25].

There are many other papers in the Blanco collection which have some relevance to Rifian social structure, but most of these are copies of reports written by other tribal administrators which found their way into his possession. The remaining ones, the authorship of which was not indicated, were positively identified for me by Srta. Emilia Blanco Moro as not being the work of her father.

128 As may be deduced from the foregoing, I have, in working up the Blanco materials for publication, had to resort to a "magpie" or "scissors-and-paste" technique, in order to combine and recombine published and unpublished data; and no one is more aware of the shortcomings of such a method than I. But the point at issue here [114] is that the unpublished MSS. materials and the published *Ley Rifeña* bear a very integral interrelationship to each other, and that each of them can best be understood intercontextually, each in the context of and in terms of the other. This point will become increasingly evident through a perusal of the main body of the work. Another perhaps even more cogent reason for including a translation of *LR* is that, to my knowledge, there is not a single copy of this work extant anywhere in the United States. It need only be said at this point

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[25]--This paper bears the catalogue no. W1/ñ, in the Garcia Figueras collection of the Africa Section in the National Library, Madrid.

128 that the responsibility both for the translation and for the arrangement of the materials is entirely my own.

114 We come now to the overall content of this work. It will soon become evident to the reader that Col. Blanco labored under a number of anthropological handicaps: 1) he was a soldier, with strictly a military mind; 2) he was evidently not fluent in Arabic, as evinced by the fact that he refers to Juan Gomez Jaen as the real translator into Spanish of the qanuns in his LR; 3) he was probably not fluent in Rifian, as evinced by his transliteration of Rifian terms in the text (many of which I have had to retransliterate); 4) he continually tried to force Rifian categories of thought into European molds; and 5) he made numerous errors of fact, mostly small, but a very few, gigantic.

These may seem unnecessarily harsh judgments to some, and it is certainly not my intention to tread on any toes. But despite Blanco's frequent errors of fact and occasional errors of interpretation, despite his tendency to romanticize the subject, and despite the strong influence exercised upon him by the work of Robert Montagne[26] (with whom, nonetheless, he could frequently disagree, as shown by his "rejoinder" of 1946 to Montagne's 1939 paper on Spanish African policy in the previous section: for Montagne's influence on the sociological thinking of French Protectorate officialdom was enormous), there is one colossal point in Blanco's favor: without any question, and in a very sure way, his work, throughout, creates a thoroughly Rifian mood;

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[113] [26] --Cf. Montagne, Les Berbères et le Makhzen dans le Sud du Maroc, Paris: Félix Alcan, 1930, and La Vie Sociale et la Vie Politique des Berbères, Paris: Editions du Comite de l'Afrique Française, 1931.

114 and we feel that it merits translation and interpretation if only
for this reason. This is so totally aside from the invaluable in-
sights - some of which are occasional flashes of real brilliance -
which it gives us into Rifian social structure and customary law,
insights which all become evident in the main body of the work.

114 There is, too, another, wider reason for the translation of
671 Emilio Blanco which is presented here. Berber social structure may
171 be regarded in Morocco as an unfashionable field of study, and this
is particularly true of Berber jural procedure, for, since the count
became independent in 1956, its whole population, Arabs and Berbers
alike, has come under the sway of Islamic Law. The net result of
this, we venture to predict, is that the memory of Berber Common Law
114 will die out entirely with the oldest surviving generation. The
671 details of such law are still clearer among the Berbers of the Centr
Atlas than among Berbers elsewhere in Morocco, because the French
administration was rigorous in its underwriting of such law until
1956 - despite storms of Arab protest over the 1930 "Berber Dahir".
Present-day Rifians, even the oldest ones, on the other hand, only
tend to remember primary jural principles, such as the number of co-
jurors required in a case of suspected murder in the days of the
'Ripublik' - a term which Rifians use retrospectively to refer to the
long period of violence, bloodfeud and what we have elsewhere labelled
"organized acephaly"[27] which preceded the rise to power of 'Abd al-Kri
and in no way to be confused with the latter's "Rifian Republic" -

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[27] --Cf. D.M. Hart, The Aith Waryaghar of the Moroccan Rif: An Ethnography, to be published.

114 and, most important of all, what happened if a murder occurred in a
671 market (a place of peaceful commercial exchange, as Blanco points out)
114 on market day (a day of peace, as Blanco again points out). For the
443 clan market, as Blanco makes very clear, set the tone for the relative
182 autonomy of the clan within the framework of the tribe of which it
was part; and this was particularly the case amongst the Aith Waryaghar, a fact which Blanco, once again, did not miss. Hence, in his
114
671 fine analysis of the 'Qanun of the 'Fraction' of the Aith 'Adhiya'
682 (in *LR*, pp. 10, 55), Blanco notes, regarding anyone who should commit
a murder in the market, that "...all the above-mentioned communities of the Bni 'Adhiya shall unite against him and burn his estate and that of his agnates; they shall drag them from their houses and exact from them one thousand duros as a fine".

114 In his comments on the *qanuns* of the clans of the Aith Khattab,
671 Aith 'Abdallah and Aith 'Adhiya (all of the Aith Waryaghar), Blanco
443 clearly brings out the fact of the market as the "preferential in-
182 stitution", both economic and social, and as the "temple of tribal law" where the clan councillors or *imgharen* convened in regular weekly meetings (called *agraw*) to settle disputes. Thus the jural aspect of the traditional Rifian market. Market day, in the Rif, absolutely had to be the one day of peace during the week, for if the market was "broken" through fighting and murder, the cry went up: "Now there is no law!" (*Ur iddji shi r-haqq!*) And this phrase, as Blanco graphically says, was "repeated in the humble dwellings perched on the mountain slopes; and soon the Rifian mountains returned to their harsh, restless and agitated life, as the bloody phantasmagoria of vengeance reappeared

114 671 on the hillsides, bringing the cries of victims and the echo of rifle
443 shots in its train" (LR, p. 19). Blanco's work is shot through with
182 references to the clan (or, as he calls it, fraccion), with its mar-
ket, as the basic Rifian patria - which of course applies better to
large tribes like the Aith Waryaghar than to small ones like the
Thafarsith, "Rifian Switzerlands" surrounded by more powerful neighbors

114 By 1960, some of the finer points of the Rifian qanuns or Cus-
671 tomary Law documents had been forgotten even by members of the oldest
[681] living generation, e.g., such as how much is to be paid if one shoots
at a man and misses him, or if one threatens him with a dagger, but
114 does not stab him. Blanco, and to a lesser extent Carleton Coon[28],
127 have both set down many of these common-law niceties; and Blanco's
[671] work has the additional merit (and we refer here primarily to LR)
of being a translation and an analysis of primary documents, some
dating as far back as the mid-eighteenth century. These are invaluable source materials for the long and unbroken period of the Rifian 'Ripublik' (as opposed to 'Abd al-Krim's Dawla Jumhuriya Rifiya, or "Rifian Republican State", 1921-1926, although he only constituted it "officially" early in 1923), which is today only a memory and, according to some, a skeleton in the Rifian closet. However, old tribesmen and even some younger ones who are less sophisticated - and who therefore generally make better informants - still grudgingly admit to admiring it and to looking upon it with nostalgia.

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[113] [28]--Cf. Carleton S. Coon, Tribes of the Rif, Harvard African Studies, Vol. IX, Cambridge, Mass.: Peabody Museum, 1931. Coon's data on customary law come primarily from the tribe of the Igzinnayen, whereas the bulk of Blanco's come from their northern neighbors, the Aith Waryaghar.

181 Moreover, even though many jural details of life during the
178 'Ripublik' have now been forgotten, many attitudes and values of
that era, which, as noted, lasted until the advent of 'Abd al-Krim
[421] in 1921, are still fully present. The Rifian keeps an iron grip on
[562] what belongs to him, and this applies particularly to his womenfolk,
who, albeit highly respected, are kept equally secluded and segregated.
[423] Also, his land, poor as it may be, is his own and no one
[628] else's, in true "territorial imperative" style. But especially with
[554] the coming of the protectorate, the values underlying the bloodfeud,
[464] which was once the dominant political institution of the society,
were channeled into the newer direction of labor migration: in the
old days of the 'Ripublik', a man had to kill his enemy to make his
[464] mark, while more recently he had to go out and get a job. (Until
1962 and Algerian Independence, work on the farms of French colons
in that country was the favored mode and region of labor migration,
while since that time the current has shifted to Western Europe.)

181 The Aith Waryaghar uprising against the Indepent Moroccan Govern-
169 ment in 1958-1959 - which was forcibly put down by the new Royal Army
in its first post-Independence test of strength - was a graphic indication,
at the tribal level, that the old values of Rifian "apartness"
within the wider national Moroccan society are still resistant
to change, for despite its "modern" objectives, the uprising itself
was carried out in a "traditional", "take-to-the-hills" manner. And
these same values are even more discernible, today as in Blanco's
621 time, at the level of the jma'th, the local community. Community life
671 among the Aith Waryaghar is both intense and inner-directed, as, for

621
671 example, the *qanuns* of Lower Thamasind, of Imhawren and the Inter-
114 Lineage Pact of Thazurakhth (all in *LR*) clearly show. And that such
621 community and inter-community life can also be constructive, as well
421 as vengeance-oriented and destructive, is amply shown by Blanco's
truly excellent analysis of Aith Waryaghar irrigation rights, especially with respect to the "intermittent" and intercalated rights of a particular lineage in the Plain of al-Husaima to the water which three other lineages, all of a different clan from the first, traditionally receive from a given irrigation ditch (*LR*, pp. 115-116).

114 Very much more could be said about the good points in Blanco's overall analysis and output on Rifian social structure, for they outweigh the bad ones, and by far. He never specifically pointed to segmentation as a crucial structural principle, but one can feel that he sensed it. And although he did not recognize the fact that the principles behind the *liff* system of alliances often, in the *Rif*, cross-cut those of segmentation, his understanding of *liffs* *per se* was certainly sound enough, and was not unduly influenced by Montagne. He did tend to confuse the concept of *diya* or bloodwealth with the concept of *haqq*, the fine paid by a murderer to the councillors if he committed his murder in the market, thereby breaking the peace of the market; but although this distinction is crucial, Blanco's treatment of the whole context of facts nonetheless correctly highlights the Rifian keynote of bloodfeud at home and peace abroad. And this last is perhaps the dominant theme in Rifian society and culture.

121 In a Morocco which is undergoing rapid sociocultural change, there is still nonetheless a great deal to be learned, we think, at the tribal or "grass-roots" level. Bidonville or "shanty-town" sociology may, along with cité ouvrière sociology as well, be more "topical" or "fashionable" in North African studies at present, but the notion of the tribe, the qabila or taqbilt, with the segmentary depths and patterns of kinship which this embodies, along with other possibly cross-cutting factors, is still very powerful in parts of rural Morocco, even though the present (and largely unsuccessful) Moroccan administrative concept of the "rural communes" has been designed to unseat it. [114] Changes in forms of social structure tend to lag well behind economic changes; and thus Blanco's contributions to the study of the sociopolitical structure of the Rif are far from untimely today, even though they date back to the 1930s. They are herewith presented, and may henceforth speak for themselves. 128 Comments in detail, as opposed to the general comments given in this section, may be found in the notes accompanying the translated text.

INTRODUCTION 2: ^A

000 AN ETHNOGRAPHIC SURVEY OF THE RIFIAN TRIBE OF AITH WARYAGHAR*

by David Montgomery Hart**

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Aith Waryāghar is not only the biggest and most important tribe in the Rīf, but the most heavily populated in the whole of the Spanish Protectorate of Morocco, totaling some 65,000 people at the present time. It is delimited on the north by the Bay of Alhucemas and by the Mediterranean Sea; on the west by the tribes of Buqqūya, Banī Yaţţuft and Targīst; on the east by the Nakūr River and the tribes of Tamsamān and Aith Tuzīn; and on the south by Aith Mazdūwī, Aith 'Ammarth and Giznāya (the last mentioned being just over the border in French Morocco). Although Targīst and most of Banī Yaţţuft

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* Excepcionalmente se ha conservado el sistema de transcripción usado por el autor del artículo, aunque difiere del adoptado por esta Revist (N. de la R.).

** Reprinted with permission from TAMUDA, REVISTA DE INVESTIGACIONES MARROQUÍES, Año II, Semestre 1, Tetuan, Imprenta Cremades, 1954, pp. 51-86 (which was continued after 1960 by Hespéris-Tamuda, the amalgamation of the two journals, one French and the other Spanish, Hespéris and Tamuda).

At the author's request, the original version of this article has been changed to reflect two most important changes since then, and as of 1958, i.e. "Riffian" to "Rifian" and "Aith Wuryaghil" to "Aith Waryaghar."

A,[The contents of this section (pp. 45-95, except for
^ pp. 64-64-D), are a duplicate of 3: Hart in this file and therefore were not marked. This information will be found in the appropriate categories already list in 3: Hart.--Analyst]

OOD are Arabic-speaking, the other tribes all speak the Rifian dialect of Berber. Aith Waryāghar, Aith 'Ammarth and northern Giznāya form in particular, a Central Rifian linguistic bloc where Arabic is known only by a tiny literate minority. This dialect, called Shilha in Arabic and Thamāzighth in Rifian, is stronger in the Central Rīf than in any other part of northern Morocco, which gives an indication of the conservatism of the people who speak it. The three nuclear Rifian tribes have all retained in large measure many of their archaic Berber cultural patterns in the face of an ever-incre ing Arabization. For this reason, I use the Berber term Aith (sons rather than its Arabic equivalent Banī, which has become current in the literature. Although a tribesman who does know Arabic will say Banī when speaking of his tribe to a stranger, he will employ Aith when in conversation with his own people. I have also singled out tribe of Aith Waryāghar as the object of this article not only beca at the time of writing, I know it much better than the other Rifian tribes, but because, as it is the largest and most powerful of all them, it has always taken the leading role in the past history of t Rīf, and it has, on most occasions, called the turn to the other tribes when necessary. The presence of Aith Waryāghar, with that o Giznāya, in the confederation of the Sinhāja during the great Sinhāj Ghumāra war was what won that war for the former group; and in recen times the tribe produced 'Abd al-Karīm, of whom we shall say more later on.

000 Running in a northeast-southwest direction, the tribal territory, 1028.5 square kilometers, consists, in the north, of an open alluvial plain bordered on the east by the mountains of Tamsamān; this plain overlooks the Mediterranean and forms the Bay of Alhucemas. Further south it gradually ascends into and merges with the brown, barren and eroded mountains which are such a characteristic feature of the Rifian landscape; these are bisected by arroyos and high valleys, and in Aith Waryāghar they culminate in the rugged massif of Jabal Hammām (1948 meters), which is covered with snow in January and February. Vegetation consists largely of scrub and lentiscus bushes. Except in the highest altitudes, rain is infrequent even in the winter; the so-called ((levante)), coming from Spain, brings it suddenly and in the form of flash floods, which change the two sluggish rivers in the tribal territory, the Ghīs to the west and the Nakūr to the east, into raging torrents. In the mountains the winters, although not long, are cold, but snowfall is much less than in Aith 'Ammarth or in the Sinhāja Srair to the southwest, where the mountains are considerably higher. The rest of the year the climate is warm and usually so dry as to produce only a bare subsistence economy.

The population density, 65 individuals per sq. km., although not the highest in Spanish Morocco, is a greater number of people than the land, which is one of the most infertile in the Protectorate, can effectively support. In the last century the Aith Waryāghar found blood-feuding a sure outlet to reduce their overpopulation, but, at the present time, as they are no longer allowed to carry firearms, OOO the population problem is met by a large annual exodus of ablebodied tribesmen to the plains of western Algeria, where they help out with the barley, wheat, olive and grape harvests on the farms of French colons. The terrible drought in the Rīf in 1945 precipitated emigration to a previously unheard of degree, and today the number of people who are living and working outside the Rīf is greater than ever before.

Those who stay at home follow an annual agricultural cycle in which cereal cultivation is extensively practiced, particularly that of barley. They plow and sow their fields in the autumn and winter, and reap and thresh the grain the following summer. The straw is piled up into circular, conical silos (*athmūn*, pl. *ithmūnen*) to be used in the winter as fodder for the animals, of which cattle and goats are the most important, sheep less so. Mules and donkeys are employed as beasts of burden, while horses, owing to the extreme poverty of the people and the mountainous configuration of the terrai are virtually non-existent. All, without exception, keep chickens an inevitably, dogs, while in certain favored areas apiculture is practiced; the bees of Jabal Hammām produce the finest honey which it has ever been my good fortune to sample.

Although barley is the most important cash crop (the barley harvest of 1953 was the best on record), the Aith Waryaghar spend comparatively little time working their grain fields, not more than three or four months a year, all told; it is their trees which receive the bulk of their attention. The most common trees are fig, pomegranate and almond in the Bay of Alhucemas, with olive substitute

000 for pomegranate in the mountains; they are all pruned, watered, grafted and fertilized with great assiduousness, for dried figs and almonds constitute the principal food reserves during the winters, after the grains have been eaten. The same is true of raisins, and the cultivation of grape vines is extensively practiced in the mountains near Sūq al-Arba of Taurīrt. Olive oil, extracted from a communally owned olive grinder and oil press, is the essential fat(1).

The fields, orchards and vegetable gardens (the latter producing broad beans, chickpeas, potatoes, onions, tomatoes, peppers and carrots, to mention only a few) of the Aith Waryāghar are usually terraced near the houses, along the slopes of the mountains. The vineyards, whither the families repair in September to pick grapes, are further up; and along the crests are the communal goat pastures and the ghāba patches, where the women go to cut brushwood for their ovens and for the local mosque. Grape picking is the only important activity in September, which marks the end of the agricultural year; after this is done and after the barley has been reaped and threshed and the silos piled up, people make merry and get married before the first rains begin again and the time to plow and sow has started up once more.

Herding and agricultural contracts of a verbal nature are made between the wealthier and the poorer men of the community, those who have little hiring themselves out to those who have more(2). Individuals who own more animals than they can pasture themselves hire herders

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(1) Coon, Carleton Stevens: Caravan, The Story of the Middle East, New York 1951, p. 313.

(2) Sánchez Pérez, Andrés: Approvechamientos communales y formas de cooperación en las yemaas del Rif, Africa, Madrid, Noviembre 1947, pp. 75-77.

000 who, while the beasts are in their charge, receive all the milk and butter and half the young ones born, and, when the animals are sold, half the profits; if the contract concerns sheep, they receive half the wool as well. Vegetable gardens and orchards are cared for by hired gardeners (*rabbā'*) who receive one-fourth of the fruit and vegetable crop; as their job entails setting up terraces, they sometimes get one-third of the vegetables if the land is sifficult to wor These same men, if they also perform all the operations necessary for cereal cultivation, are called *ikhammāsen* and receive one-fifth of the barley and wheat crop. The owner of the field supplies the s the animals (usually cows) and the plow as well in this type of contract, while the *akhammās* (sing. of *ikhammāsen*) provides only his muscles and a switch to keep the cattle moving while they are under the yoke. The *akhammās* contract is the most common type, but also current is a slightly different class of association, called *ifarādh*e (Arabic *bil-fard*): two farmers who own plots of land more or less equal in size, but who do not have enough equipment to plow them on their own, join forces; the harvest is divided equally between the two parties. This form is particularly prevalent if each man concerned only possesses one cow or one mule. A third kind of association, called *dhūrī*, is very common in irrigable land; in this, one man supplies the land and half the seed, and the other the rest of the seed and the plowing equipment (animals and plow). The actual work, which may be done by an *akhammās*, and the payment of other hire personnel to help with the reaping, is taken care of by both parties, and the net profit, deducting one-fifth for the *akhammās*, is divided in half.

000 Except in the Bay of Alhucemas, where irrigation is practiced without terracing, and in the valley of the Upper Ghīs, where there is much terracing but little irrigation, irrigation ditches (*thargha*, pl. *tharghiwīn*) and terraced fields, gardens and orchards are everywhere else to be found jointly in Aith Waryāghar; the distribution of the one is virtually the same as that of the other. Ownership of irrigation water is largely dependent upon ownership of land, for in Aith Waryāghar the owner of a plot of land is also the owner of the subsoil, and the waters which pass through his territory belong to him. Water is utilized by human beings, animals, lands and industries; rights of preference are in that order, the industries being represented by water mills (3), the owners of which receive one-tenth of the grain which the mills grind as their commission.

The Rīf, however, is a land not favored by nature, and water is a perennial problem. In Aith Waryāghar, the people in the mountains receive first use of the water, while those in the Bay of Alhucemas irrigate with the remainder. The turns of each family in getting water are based on the principle of equal distribution, and natural means are used to calculate the time. Men have first call on water consumption, and the rest is reserved for women, for whom it is customary to arrange a fixed place beforehand for washing and bathing. Each *jamā'ath* (village, council of notables) works out and agrees on

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(3) Blanco Izaga, Emilio: El Rif (2a. parte-La Ley Rifeña): II. Los Cánones Rifeños Comentados, Ceuta 1939, pp. 101-138.

OOO fines for infractions of water rights, particularly with regard to freedom of women; a small boy is stationed at a prudent distance from the women's section of the water, to keep men away (4).

It was Col. Blanco, in his magnificent analysis of Rifian customary law (5) (which has served as an invaluable aid to me in the collection of my own notes on the subject), who first called attention to the fact that in the Bay of Alhucemas, the primary ditches have secondary branches which only take up water for twenty-four hours; if there are four such secondary branches, each one only takes up water every four days. Secondary ditches in turn have tertiary branches, which take up water only during the day, or at night. The tertiary branches lead to the very small ditches of individuals, which take up water for a few hours only, these hours usually being determined by those of the daily prayers. Distribution of water is based on the tribal social structure: a thārfīqth, the fundamental social unit, receives water from a secondary ditch on a twenty-four hour basis, while a jājghū or patrilineal extended family within the thārfīqth may use only a tertiary ditch. If one of these family groups, during one turn, gets its water during the day, it will receive it at night in the following round, and the first in one turn will be the last in the next. All ditches are subject to communal maintenance and all the families who use them must help repair them after heavy rains have washed them out.

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(4) Blanco Izaga, 1939, p. 101

(5) Blanco Izaga, 1959, passim.

000 Water rights are still carefully regulated by the 'urf, or unwritten customary law, and custom in respect to water channeled off from the Ghīs is different from that of the Nakūr, owing to the different nature of the rivers themselves. In the Bay of Alhucemas, the best land in the tribe, the flow of water in the lower course of the Ghīs, although slight, is nevertheless constant. The problem created by the Ghīs is that although today its volume has been artificially increased with new concrete beds for the primary ditches of Thafadhna, Bulma'īz and Libzimma, there would still not be enough water to go around if adequate provisions, sanctioned by custom, for its apportionment had not been made long ago. Because of the relative constancy of its flow, those who irrigate with its waters know that the quantity they can expect is more or less the same at any time of year. Thus the qānūns dealing with irrigation in the Lower Ghīs specifically state that any man who purchases land there must buy his irrigation turn independently. Due to the fact that these qānūns have been drawn up in Arabic by the 'adūl or notaries public for all to see and abide by, and to the additional fact that all the land on both banks of the river belongs to Aith Waryāghar, disturbances of social equilibrium about irrigation water there, although far from uncommon, have been considerably less great than they might have been.

The Nakūr, however, is something else again. Although it irrigates about eight times as much land as the Ghīs, it nevertheless loses much of its potential through infiltration. While in winter I have seen it overflow its banks during a heavy storm, it becomes reduced to a muddy little creek in summer. Owing to its volume capacity, however, its irrigation *qānūns*, in this case unwritten, provide that anyone who buys land there automatically has a right to irrigation water as well, because most of the year there is a sufficient quantity for all. But the hitch is that Nakūr water irrigates not only Aith Waryāghar but Aith Tuzīn and Tamsamān as well. Although the Spanish administration has fixed the river as the boundary between Aith Tuzīn and Tamsamān on the east bank and Aith Waryāghar on the west, individuals and families from each of these three tribes still own land on the bank opposite them. In the past the river functioned less as a boundary than as a zone of transition, and because of the unclear but traditional and conservative application of customary law, there was ample opportunity for feuds to develop, which they did with great frequency, particularly in summer when the water supply was low. The *shaikh ar-fijjāḥath* (Ar. *shaikh al-fillāḥa*) or *aquwwām* of each of the opposing tribes met to parley in case of a blatant infraction of custom, such as getting water out of turn; he was backed up by his respective constituents, all of whom were armed to the teeth. In case of a general melee, Aith Waryāghar, being the most powerful, usually won, particularly if Tamsamān and Aith Tuzīn were in disagreement with one another.

House sites in Aith Waryāghar are determined by two principal considerations: availability of water and adaptability for defense (6) The walls, studily built of mud and stone masonry in the mountains and of adobe in the plains, form a rectangle which is almost a square;

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(6) Blanco Izaga, Emilio: La Vivienda Rifeña, Ceuta 1930, passim.

000 wall dimensions are, roughly, 15 by 26 meters in length, 3 1/2 or 4 meters in height, and 1/2 meter in thickness. Walls and rooms are constructed around a courtyard. Save in the houses of rich men who can afford a ghurfa, there is only one floor, of baked clay. The roof is flat, made of earth and supported by beams. The rooms, located just within and along the walls, are always whitewashed and kept scrupulously clean; this is particularly true of the reception room for guests, who enter it by a small side door so as not to see the women of the family who are working in the courtyard. There is never more than one small, rectangular window to a room, and in the houses of wealthy Rifians glass windowpanes are now in vogue. The windows also served as loopholes in case of attack after the old feuding towers were removed by order of 'Abd al-Karīm in 1922. In one corner of the courtyard is a sunken pit, usually partitioned off, which acts as a stall for the family cow; above this is a loft used for storage. The courtyard itself, to which access is gained by a large wooden door through which the animals may pass, contains the oven in which the women bake barley bread; the brushwood needed to feed it is stored beside it. Also inside the courtyard is the kitchen and an underground silo, in which the grain reserves are deposited, while dried figs are kept in big circular wickerwork baskets sunk into the earth. The courtyard is surrounded by a porch, consisting of the ground floor and an extension of the roof supported by pillars. The center of the patio acts as a shelter for the goats and sheep at night, if there is no special stable for them. Each house is inevitably surrounded by an

000 impenetrable clump of cactus (which has a certain food value in hard times), and the mangy dogs of the owner always bark furiously at the approach of a stranger; the house is thus well guarded. Just beyond it, and near the orchard, is the threshing floor, upon which the circular straw silo is piled up by the *akhammās* as the last of his tasks during the agricultural year.

The houses are widely scattered up and down the mountains, each one being at least three hundred meters away from the next. Its construction and situation reflect the independent spirit of its owner. Almost always isolated to at least this extent, such a dwelling is usually the residence of a man, his unmarried brothers and sisters, his wife or wives, and his unmarried children. This is only part of the family; the rest of it, living in similar houses the usual distance away, includes the man's married brothers and their wives and unmarried children. Thus the family, as it is known in Aith Waryāghar, may consist of anywhere from one to ten separate households, and may number as many as fifty people, spread over three to four generations. Once the sons marry, they usually set up housekeeping on their own, but always within the family circle; when the daughters marry, they go to live with their husbands' people, for this is a partilineal and patrilocal society. This extended family or *jājghū* (pl. *ijūjgha*) is a cooperative economic unit; the affiliations of in-marrying wives are with it rather than with the families from which they came. Once the last surviving member of the oldest generation dies off, the old *jājghū* splits into as many new *ijūjgha* as there were married brothers originally.

000 , Ownership of property is concentrated in the hands of the elders of the jājghū, who parcel it out to their married sons on a provisional or on a permanent basis. If the former, the land goes back for redistribution among all the sons after the father's death; if the latter, the favored son needs a document signed by two 'adūl proving that the land is his. If there are few sons, the eldest, if he is a sensible and honest man, is usually chosen to act as property administrator for all, when the father dies; but with many sons, the amount of land becomes too difficult to administer as a single unit; quarrels may develop, in which case the land is divided up among the sons, each one looking after his own share. The inheritance system follows standard Islamic practice, with the portion of one son equalling that of two daughters. If daughters whose share of the family property includes land marry into other villages or political sections, they are often induced to sell out their own holdings to their brothers so that the land will remain securely in the hands of the family. These are the essential features of the jājghū as an extended family group but its importance in the total social structure is far overshadowed by a larger and more durable unit called thārfīqth (pl. thārfīqīn).

This grouping, a form of clan-community, is an amplification of the jājghū by inclusion of the families of all the sons of the original founder-ancestor, not just of one of them (which constitutes the jājghū). This ancestor is apt to be at least three or four ascending generations removed from the speaker, if not more; he is the speaker's furthest remembered ascendant in the male line and the man from whom

000 the *thārfīqth* takes its name. Within the *thārfīqth*, the various *ijūjghā* form its component parts. Thus, in the *thārfīqth* of Iḥaddūshen or Aith Haddūsh in the village of Aith Mūsā u 'Amar (Aith 'Alī), the component *ijūjghā* are the families of 'Alī, Sa'īd, Muhammādi, Muḥand and 'Abdallāh, all sons of Haddūsh, the common ancestor of all; in the *thārfīqth* of Aith Sa'īd in the same village the *ijūjghā* are the families of Hmid, 'Aisā and 'Abdallāh. A *thārfīqth* may have a depth of five to nine generations from its ancestral head to its youngest living member; it may number some 200 living people, distributed throughout ten to twenty households. In general, it constitutes a separate barrio or *ḥauma* in a village; its political existence as such is undeniable, for the village council members (*izdīfen*, sing. *azdīf*, «heads») are the elders of each *thārfīqth*. Not all of these elders are kin, however, for it is unusual, as we shall see, for all the *thārfīqīn* in one village to be related to each other.

Preferred marriage takes the form of exogamy between the *ijūjghā* and endogamy within the *thārfīqth*. Instances of parallel or cross cousin marriages of the Arab pattern may be spotted in most large genealogies, but they are rare; on the other hand, exogamous marriages into other *thārfīqīn* in the same village or in the same political sections or into other tribes are less common; these are usually contracted by men of influence for political reasons and in the old days such unions formed the basis of a complicated network of alliance systems called *liff* (pl. *lifūf*), which will be given extensive treatment further on. Weddings usually take place when the boy is sixteen to seventeen years old and the girl fourteen to fifteen.

000 The *thārfīqth* is bound together not only by recognized kinship ties, but by those of common interest as well. The strongly cohesive character of the group as a social and an economic unit is reinforced by the institution of the levirate, in which a man marries his brother' widow, and by that of the sororate, in which a widower marries his wife's sister; but there is no sororal polygyny, which is forbidden in Islām. The frequency with which the levirate, in particular, occurs can probably be correlated with the prevalence of blood feuds in the Rīf; it was a strong factor in reducing to a minimum disturbances of equilibrium within the group caused by the loss of one of its members. Polygyny in Aith Waryāghar appears to have been more often a result of the function of the levirate than a matter of personal choice, for most Waryāghlis are monogamous through economic necessity; (7) the only cases of polygynous marriages which I know of personally are, generally speaking, those of important tribal functionaries: *jārīs*, *muqaddams*, *shaikhs*, *qā'ids* and *qādīs*. The status of women is much the same as in other tribal areas of the Muslim world; in day to day life, the wife is her husband's companion in the house and in the fields, and in the old days she even followed him into battle if necessary. She is given maximum consideration during motherhood, particularly when she presents sons to her spouse to continue the martial tradition of the group. Although she goes about unveiled, her husband is exceedingly jealous, and adultery caught in the act is still punishable by death.

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(7) Coon, Carleton Stevens: *Tribes of the Rif*, Harvard African Studies, vol. IX, Cambridge, Mass., 1931. Coon gives *awar* (properly *azwar*), or «vein», and *ighs*, or «bone», corresponding to *jajghu* and *tharfiqth* respectively, as the fundamental Rifian social units. The difference between his terminology and mine may be due to the fact that the bulk of his data comes from Giznaya. In Aith Waryaghar the word *ighs* refers only to a bone in the body and emphatically not to a social grouping

000 The size and power of the thārfīqth is augmented by landless strangers who have emigrated from their own villages or tribes or fled from them because of some crime they have committed. These strangers contract work as ikhammāsen for the jājghū heads, and in time they may marry the latters' daughters. In this case the incipient jājghū which is formed when children are born in matronymic, taking the name of its mother rather than of its father because of his lack of prestige; rules of residence are then matrilocal, by the same token. Although a jājghū of this type could take no part in the governmental activities of the village in which it was located, it had to assume as full responsibilities as the other, native ijūjgha in time of war. As many of the new ijūjgha considered this an unfair arrangement, they often broke away from the parent thārfīqth to found the nuclei of new thārfīqīn of their own. All the families in the villages of Bū Zdūr and Marrūwī, and most of those of Thirkuzīn, in Aith 'Abdallāh, are of this type; they are still considered by the locals as foreigners from Aith 'Ammarth, although they banded together long ago to found a new thārfīqth of their own, Aith Handu Dāwūd, which has now grown into a farīqath or canton.

In the Waryāghli sense of being a «whole family», the internal solidarity of the thārfīqth is greatly strengthened not only by the kin ties of the native members, but by the fictional relationship of the stranger accretions as well. Thus, while the individual ijūjgha of a thārfīqth may be small in number of personnel, the thārfīqth as a whole can usually supply some fifty men of age to fast during Ramadā therefore being capable of bearing arms in addition. It was the

OOO thārfīqth and not the jājghū which functioned as the unit of vengeance, as the unity of the whole family was an absolute necessity for its continued existence. Although murders within the thārfīqth did occur, they were very rare and considered unnatural crimes; the local holy man, sharīf or murābit was brought around at once to appease the bereaved and to act as moderator, and the offenders were either killed or exiled immediately to prevent a feud from spreading. To date, I know personally of only one case of one man killing another in the same thārfīqth (in Tharwa n Muhammādi 'Alūsh, Aith Yūsuf u 'Alī); he was instantly shot by one of the sons of the dead man, and as he himself had no sons or brothers to carry on the feud, the problem ended then and there. Equilibrium was completely reestablished when the killer married his victim's sister, his own parallel cousin.

Each thārfīqth, however, was usually at war with its neighbors. Minor quarrels over ownership of land or of irrigation water could and did lead to blood feuds of such extraordinary savageness that on some occasions they did not stop until one or the other of the participating families was completely wiped out. The smaller the group, the greater the number of powerful allies it had to have in order to survive. Periods of peace and quiet were very infrequent events; in the old days every house had a watch tower, forming a second story, in which the owner had a commanding view of the whole countryside. He could thus spot an unwary enemy and drop him dead in his tracks with the greatest of ease and pleasure. The poverty and infertility of the soil was a factor which contributed heavily to an atmosphere of eternal suspicion

000 and mistrust of one's neighbor. Violence was so common that, analyzing it from an anthropological standpoint, Montagne remarks with considerable justification that the concept of the *thārfīqth* obscured and often even obliterated those of the larger political units above it (8). The acceptance of the *dīyath* or blood money by the murdered man's *thārfīqth* was a rare phenomenon; most families, particularly those of Aith Bu 'Ayyāsh, the political division which has the greatest fighting reputation of all, preferred to keep the feud going. I have been informed that in Aith Bū 'Ayyāsh feuding assumed such extreme proportions that, to take one example, the village of Aith Bū Khrif knew *no peace at all* until the Spanish occupation. Another instance on record, cited both by Montagne (9) and Maldonado (10), tells of a feud which started between two *thārfīqīn* of Aith 'Abdallāh, Aith al-Qāsim and Iburāsan; I have personally verified their accounts by conversation with two of the participants.

The shooting began after the murder of a dog which belonged to the guest of the head man of Iburāsan, as the Aith al-Qāsim refused to pay the blood money (50 duros) claimed. Twelve men were killed in combat the first day; each side got its allies and soon the feud spread all through the *farīqas* of Ibunahāren and Aith 'Amar u Hmid. In the following years, 40 men died on one side and 62 on the other, in pitched battles alone. This does not take into account the even larger

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(8) Montagne, Robert: *Les Berberes et le Makhzen dans le Sud du Maroc*, Paris 1930, p. 240.
(9) Montagne, 1930, pp. 239-240.
(10) Maldonado, Eduardo: *El Rogui*, Tetuan 1952, pp. 33-34.

000 number of those who were shot down in ambush or poisoned with arsenic sold by merchants at Alhucemas. The conquered group eventually decid to leave the country; almost no one was left but old men, women and children, who sought refuge in the sacred mountain of Zarhūn (where Mūlāy Idrīs, the first Sultan of Morocco, is buried), after having sold all their property in order to try to hire a man who would aveng their dead. The vengeance plan was carefully worked out, and the 'adī made the following stipulations: 10,000 riyāls if the bullet killed an enemy; 5,000 if it wounded one; and 2,500 if it missed its mark. In any event, the hired killer was usually found the next day with a bullet through his own head, due as often as not to the careful markmanship of a small boy hidden behind a lentiscus bush.

To give further evidence of lengths which the people of Aith Waryāghar used to go to put their enemies out of the way, I was told by one of my informants that someone had once insulted his father. Th father, an amghār or councillor of considerable repute in his own village (Aith Mūsā u 'Amar of Aith 'Alī), would not brook the insult, and promised his akhammās a new jillāb (11) and a considerable sum of

[TEXT CONTINUED ON PAGE 65]

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(11) (Rifian ajdab): a woolen cloak with sleeves and hood worn by men. In the days before Abd al-Karim it was made of brown homespun and reached the knees only; today ankle-length jillabs are much more in vogue, and the younger generation prefers them made of European cloth. The old woolen turban, thaghrafth, is also no longer worn, and has been replaced by a white cotton turban among the older men; the younge ones, particularly those who have traveled outside the Rif, prefer the tarbush. The trousers have become baggier in recent years as well; the only item of distinctly Rifian clothing which remains is the toe-strap sandal of esparto grass. It is interesting to note that the old short and decorated Rifian jillaba can only be seen today in the Ghuma (continued bottom p. 65)

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

BLANCO MAP I (1934)

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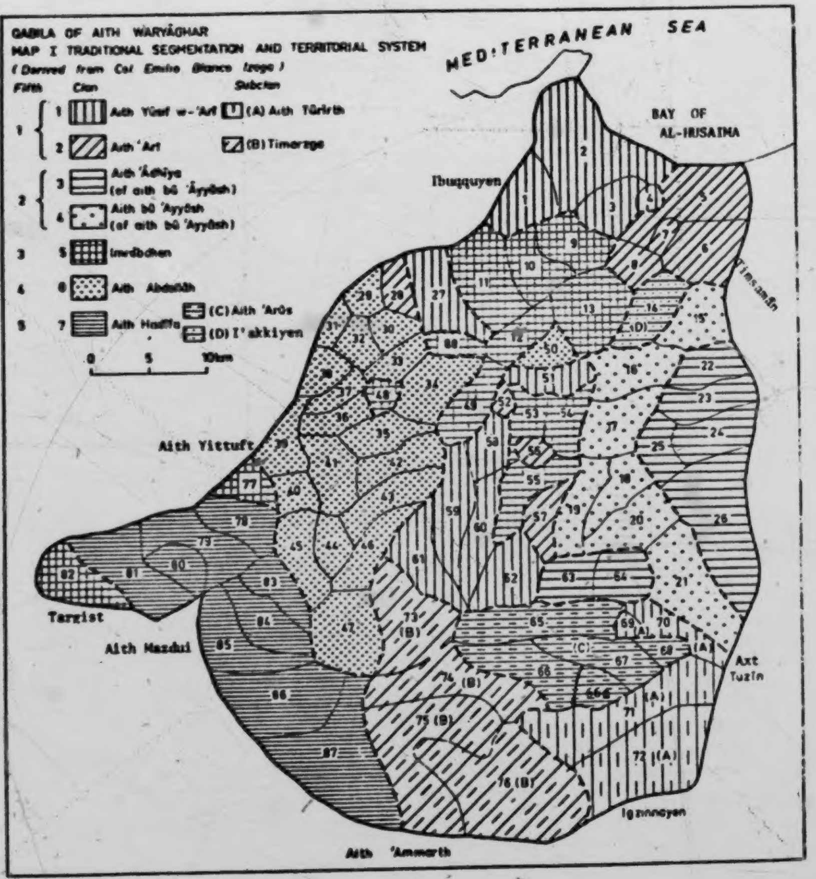
QABILA OF AITH WARYÂGHAR
MAP I TRADITIONAL SEGMENTATION AND TERRITORIAL SYSTEM
(Derived from Col Emilio Blanco Izaga)
Fifth
Clan
Subclan
1 Aith Yūsuf w-'Ari
(A) Aith Tūrirth
2 Aith 'Ari
(B) Timarzga
3 Aith 'Ādhiya (of aith bū 'Ayyāsh)
4 Aith bū 'Ayyāsh (of aith bū 'Ayyāsh)
5 Imrābdhen
6 Aith Abdallāh
7 Aith Hadīfa
(C) Aith 'Arūs
(D) I'akkiyen
0 5 10km
MEDITERRANEAN SEA
BAY OF AL-HUSAIMA
Ibuqquyen
Timsamān
Aith Yittuft
Targist
Aith Mazdui
Axt Tuzin
Igzinnayen
Aith 'Ammarth

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KEY TO BLANCO MAP, 1934 - TRADITIONAL SEGMENTARY AND TERRITORIAL SYSTEM OF THE AITH WARYAGHAR (Derived from EMILIO BLANCO IZAGA)

N.B. Numbers of "fifths" and clans correspond to those, numbered 1-5 and 1-7 respectively, on the legend of the map, while nos. 1-88 represent local communities.

1 - "FIFTH" OF AITH YUSIF W-'ARI/AITH 'ARI

(1) - CLAN OF AITH YUSIF W-'ARI

1. Izifzafen
2. Ajdir: Aith 'Aru 'Aisa, Aith Misa'ud u-Yusif, Aith Zara'
3. Azghar
4. Aith Mhand u-Yihya of the Plain

(2) - CLAN OF AITH 'ARI

5. Tafrasth
6. Aith Musa w-'Amar
7. Imjjudhen
8. Tigarth

3 - "FIFTH" OF IMRABDHEN

(1) - CLAN OF IMRABDHEN

9. Aith Hishim
10. Aith Misa'ud
11. Aith Qamra
12. Idardushen
13. Ifasiyen, Aith Brahim, Aith 'Amar u-Bukar, Aith Yusif

5 - "FIFTH" OF AITH HADHIFA

(7) - CLAN OF AITH HADHIFA

14. (D). Subclan of I'AKKIYEN

2 - "FIFTH" OF AITH BU 'AYYASH

(4) - CLAN OF "TRUE" AITH BU 'AYYASH

15. Izakiren
16. Aith Tfarwin
17. Isufiyen
18. Aith Tfarwin (again)
19. Aith Ta'a
20. Iriyanen
21. Aith Bu Khrif

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(3) - CLAN OF AITH 'ADHIYA

22. Ighmiren
23. Ajdir Bu Qiyadhen
24. Imnudh
25. Aith Bu Qiyadhen (r-Rabda)
26. Tazurakhth: Aith 'Aisa, Aith Ruqman

1 - "FIFTH" OF AITH YUSIF W-'ARI/AITH 'ARI

(1) - CLAN OF AITH YUSIF W-'ARI

27. Aith Buham

1 - "FIFTH" OF AITH YUSIF W-'ARI/AITH 'ARI

(2) - CLAN OF AITH 'ARI

28. Aith Dawud

4 - "FIFTH" OF AITH 'ABDALLAH

(6) - CLAN OF AITH 'ABDALLAH

29. Tazaghin
30. Aith Zkri
31. Imarnisen
32. Tizi 'Ayyash
33. Ibunharen
34. Bu Khalifa (Aith Ziyyan)
35. Iqanniyen
36. Ikiddaben
37. Uqrishen
38. Dahar n-Zimmurth
39. Thariwin
40. Bu Sarah (Bu Salah)
41. Aith Sa'id
42. Aith Dris
43. Bu Zdur (Tigarth 'Ari)
44. Ihwahwahiyen
45. Thirkuzin (Tilkuzin)
46. Thimkiliwin
47. Marrui

3 - "FIFTH" OF IMRABDHEN

(5) - CLAN OF IMRABDHEN

48. Bu Ghardain
49. Zawith n-Sidi 'Aisa (Zawiya Sidi 'Aisa)

4 - "FIFTH" OF AITH 'ABDALLAH

(6) - CLAN OF AITH 'ABDALLAH

50. I'ayyaden

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619
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1 - "FIFTH" OF THE AITH YUSIF W-'ARI/AITH 'ARI

(1) - CLAN OF AITH YUSIF W-'ARI

51. Thamasind n-Waddai (Lower Thamasind)

(2) - CLAN OF AITH 'ARI

52. Bu Minqad

3 - "FIFTH" OF IMRABDHEN

(5) - CLAN OF IMRABDHEN

53. Aith r-Qadi
54. Aith 'Aziz
55. Aith r-Qadi (again, I'athmanen

1 - "FIFTH" OF AITH YUSIF W-'ARI/AITH 'ARI

(2) - CLAN OF AITH 'ARI

56. Thamasind n-Dara (Upper Thamasind)
57. Iswiqen

(1) - CLAN OF AITH YUSIF W-'ARI

58. Aghridh (Aghlid)
59. Aith Mhand u-Yihya of the Mountains
60. 'Arnuq
61. Isrihan
62. Ikattshumen (Ikultumen)

2 - "FIFTH" OF AITH BU 'AYYASH

(3) - CLAN OF AITH 'ADHIYA

63. Ighmiren (again)
64. Igar w-Anu

5 - "FIFTH" OF AITH HADHIFA

(7) - CLAN OF AITH HADHIFA

(C) - Subclan of AITH 'ARUS

(C) 65. Bu Sa'ida
(C) 66. Aith Tigarth (or simply Tigarth)
(C) 66a. Aith u-Maru (or simply Maru): "people of the shade"
(C) 67. Aith u-Sammar (or simply Sammar): "people of the sun'
(C) 68. Aith Juhra

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1 - "FIFTH" OF AITH YUSIF W-'ARI/AITH 'ARI

(1) - CLAN OF AITH YUSIF W-'ARI

(A) - Subclan of AITH TURIRTH

(A) 69. Aith 'Amar
(A) 70. Thizimmurin
(A) 71. Thigzirin
(A) 72. Bulma, Ignan, l-'Ass

(2) - CLAN OF AITH 'ARI

(B) - Subclan of TIMARZGA

(B) 73. r-Maqsuridh
(B) 74. Bu Ma'dan
(B) 75. Thafsasth
(B) 76. Aith Yusif

3 - "FIFTH" OF IMRABDHEN

(5) - CLAN OF IMRABDHEN

77. Kammun

5 - "FIFTH" OF AITH HADHIFA

(7) - CLAN OF "TRUE" AITH HADHIFA

78. Mishkur
79. Ihadduthen
80. Iharunen
81. Thizimmurin

3 - "FIFTH OF IMRABDHEN

(5) - CLAN OF IMRABDHEN

82. Thamarkatt (Tamarkalt)

5 - "FIFTH" OF AITH HADHIFA

(7) - CLAN OF AITH HADHIFA

83. Bihban
84. Aghzar 'Aisa
85. Bashkra
86. Aith 'Amar u-Sa'id
87. Zawith n-Sidi 'Abd r-Qadar (Zawiya Sidi 'Abd l-Qadir)

3 - "FIFTH" OF IMRABDHEN

(5) - CLAN OF IMRABDHEN

88. Izarruqen

000 money if he disposed of the insulter. The *akhammās* went out on his master's errand, but seems to have had a change of heart somewhere during his journey, for he decided that he personally had no quarrel with the other party. Thus there was no reason to kill him. But, with the prospect of a fat reward in his pocket, he announced upon his arrival home that he had shot the man and returned undetected. The *amghār* soon learned the truth, and locked up his *akhammās* for three days without food or water. He then sent him packing, after cutting off his ears.

Under circumstances like these, in which even women did not dare go to work alone in the fields and in which men always had to carry their rifles to the mosque or to the market, it might seem, carrying Montagne's argument one step further, that no groupings larger than the *thārfīqth* could exist at all. They do exist, however, thanks to the mechanism of the *liff* alliance system, and the next one up the scale is the *jamā'ath* or *dshār*, the «village», a collection of both related and unrelated *thārfīqīn*. I use the word «village», advisedly, nevertheless; its geographical limits, known perfectly by the tribesmen themselves, are difficult for the outsider to discern owing to the linear nature of the terrain and the scattered house distribution.

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(11) contd. Women's clothing on the other hand, is far more conservative. The women of Aith Waryāghar wear a silken band around the head, tied in the back, over which is placed a cotton shawl; a long cotton or silk shirt (if cotton, it is white; if silk, red or yellow) coming to the knees, with blue trousers underneath, coming to halfway between knees and feet; and a heavy red woolen belt. Most women go barefoot, but some, like many of the men, have adopted Spanish sneakers (alpargatas). Both sexes wear babouches (Rifian *ibarkusen*, Arabic *blaghi*) only on festival occasions, provided they are rich enough to afford them.

000 Its site may be determined by the excessive growth of one *thārfīqth*, by the proximity of a spring, by discords and internal struggles, or by any number of other causes. Its two principal requirements are a communal village mosque (there is often more than one mosque to a village) and a local assembly consisting of the headmen (*izdīfen*, sing. *azdīf*) of its component *thārfīqīn*. This assembly is still in large measure the governing body of the village, and it administrates village affairs largely according to customary law (*'urf*); under its jurisdiction fall matters relating to individual and family order, theft of small articles such as eggs and poultry and olives and grapes, vigilance of orchards, reparation of irrigation ditches, and the like. It meets once a week in the courtyard of one of the village mosques, or under a wild olive tree, to hear and try cases of local importance. It elects the *faqīh* of the mosque, who gives Qur'anic instruction to the boys of the village, and the *shaikh arfijjāhath* or *aquwwām* to direct work in the fields and to oversee the *tawīzas* or corvees working on irrigation projects (12). Today it also elects a moderator to direct and keep order during its meeting; he is usually the village *jārī* or headman. The mosque, school and cemetery are all communal property of the *jamā'ath*, as, in the mountains, is the olive press; the *jamā'ath* also retains an indefinable hold over saints' tombs (*amrābidh*, pl. *imrābdhen*) if there are any in the vicinity. Each village also has its communal pasture lands (*harīm*) and its scrub forests (*ghāba*); these

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(12) Paniagua y Santos, José María: «Notas sobre el derecho consuetudinario de la propiedad en el Rif». *Archivos del Instituto de Estudios Africanos*, num. 4, primer semestre, Madrid, Junio 1948, pp. 1-44. My references on p. 14 and pp. 20-21.

000 may neither be sold nor divided up, and are maintained *pro indiviso* for the sole use of the inhabitants of the village in question. These lands, generally, surround the village, and form a vague line of demarcation between it and the next village; their situation and extension are such that a woman, for instance, can go out after sunrise to cut *ghāba* and return home before sunset (13).

The next unit up the scale is the minor political division called *farīqath*, which the Spanish administration refers to as «subfraction». This unit usually takes the form of a canton, a single hill-valley- or watershed-unit, comprising some four or five villages. The administration has brought this grouping into sharper relief by putting a *muqaddam* at its head; but this is for administrative purposes only and is not, except in a few cases, a true reflection of the tribal social structure. In the minds of the tribepeople the *farīqath* is ultimately a descent grouping the members of which are related by blood, although the genealogical steps leading back to the common ancestor (if there was a common ancestor) are no longer traceable. We can find elements of one *farīqath* in the territory of another, and in only about half of these divisions, principally those in the southern mountains, the most homogeneous part of the tribal territory, do we see that the tribal and administrative concepts of the *farīqath* coincide. The importance of this group is political rather than social, because there are always some *thārfīqīn* within the cantonal territory which are not related to the others by blood. In general, ties which hold the members

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(13) Martos de Castro, José: «Lo bereber en Marruecos y sus relaciones con lo ibero». in Alta Comisaria de Espana en Marruecos: *Labor de España en Africa*, Barcelona 1946, pp. 309-333. My references from pp. 328-333.

OOO of a canton together are largely those of common interests: on Fridays they all go to the principal cantonal mosque (*thamzīda n khutbath*) to pray and to listen to the sermon preached by the *faqīh*. Blood relationship between the members of a canton, however tenuous it may be, nevertheless helps to keep peace, and cantonal wars have usually been heaviest in those cantons which show a greater mixture of various elements.

Next on the list is the major or primary political section, called either *rba'* (pl. *rubū'*) or *thakhammāsth* (pl. *thikhammāsīn*), which literally means «fourth» and «fifth», respectively. In Aith Waryāghar, at any rate, these terms are virtually synonymous, although, functionally speaking, the latter is more applicable to the tribesmen's own concept of the political segmentation of their tribe. Aith Waryāghar is considered as being divided into five major sections, each of which supposedly claims descent, in its turn, from a common ancestor. It is significant that the tribe as a unit does *not* claim such descent; its traditions of origin show it to be a grafting together of various elements, most of which came originally from Giznāya in very ancient times. But the fact that its people regard themselves as a tribe, as a single unit, in opposition to and when threatened by other tribes, we shall see presently.

The five major sections alluded to above are: 1) *Aith Yūsuf u Alī*, pronounced «Aith Yūsuf Warī» (with *Aith Turīrth*) and *Aith 'Alī* pronounced «Aith 'Arī» (with *Thimārzgha*), the two of which traditionally constitute a single division, by virtue of their descent from two brothers, Yūsuf u 'Alī and 'Alī u 'Alī; 2) *Aith Abdallāh*; 3) *Aith 'Arūs* (with *Aith Hadīfa* and *I'akīyen*); 4) *Aith Bū 'Ayyāsh* (with *Aith 'Adhīya*);

000 and 5) Imrābdhen. With the exception of Aith Bū 'Ayyāsh and Aith 'Abdallāh, who maintain their territorial holdings as solid blocs, all the other divisions have their principal lands in the mountains and enclaves in the plains, or vice versa, and the Imrābdhen, the descendants of Arab *shurfā* as their name, in Riffianized Arabic, indicates, form a supplementary division the segments of which are distributed throughout the whole tribal territory. We see in these divisions the historical basis of the two *lifūf* (sng. *liff*) or political moieties of Aith Waryāghar, Aith Yūsuf and Aith 'Alī, which became crystallized through the struggles between the descendants of the two brothers Yūsuf and 'Alī; these descendants form, as we have seen, a single *thakhammāsth* or «fifth». In the first *liff*, headed by *Aith Yūsuf u Alī*, fall Imrābdhen, allied by marriage with the former since their beginnings Aith 'Arūs (with Aith Hadīfa and I'akiyen), half of Aith Bū 'Ayyāsh (the *farīqath* of Aith Bū 'Ayyāsh), and, in case of an intertribal war, the tribe of Aith 'Ammarth; in the second *liff*, *Aith 'Alī*, are Aith 'Abdallāh and the other half of Aith Bū Ayyāsh (the *farīqath* of Aith 'Adhīya). Although the second *liff* was the smaller of the two, its fighting strength was heavily reinforced by Aith 'Abdallāh and Aith 'Adhīya, both of which groups have very bellicose reputations. Aith Hadīfa and Imrābdhen are weaker sections, on the other hand, while the presence of half of the «fifth» of Aith Bū 'Ayyāsh in each *liff* shows how divided within itself this biggest and most warlike of all the divisions used to be. It is also appropriate to

000 point out that only in connection with «fifth» of Aith Yūsuf u 'Alī (later to produce 'Abd al-Karīm) and Aith 'Alī does the term *rba'*, in Waryāghlī parlance, differ in political significance from *thakkammāsth*; Aith Yūsuf u 'Alī and Aith 'Alī and Aith 'Alī are considered as separate *rubu'* belonging to the same thakhammāsth, implying, somewhat paradoxically, that a «fifth» is larger than a «fourth». In all the other major sections the terms are used interchangeably, although at the present time *rba'* takes precedence, as, under the Spanish administration, there are six and not five administrative divisions in the tribe, two in each of three «caidatos». Referred to by the administrations as «fractions», these consist of Aith Yūsuf u 'Alī and Imrābdhen in the caidato of Uta, Aith 'Abdallāh and Aith Hadīfa in the caidato of the Upper Ghīs, and Aith Bū 'Ayyāsh and Jabal (Aith 'Arūs, Aith Turīrth of Aith Yūsuf u 'Alī and Thimārzgha of Aith 'Alī) in the caidato of Nakūr.

Aith Waryāghar, being the biggest tribe in the Spanish Protectorate, has been given the status of a separate «comarcal» by the administration, and each of the three caidatos is governed by a *qā'id*, who is assisted in his duties by a *khalīfa*. Under and subject to him are the *shiyūkh* (sing. *shaikh*) of the rubū' or «fractions», each of whom is also assisted by a *khalīfa*. The qā'id presides over his tribunal (*mahkāma*) every week in the principal market of the caidato. In addition, special «fractional» juntas were created as of 1952 by the administration; these are made up of all the *muqaddamīn* (sing. *muqaddam*) of the «subfractions» (*farīqath*) and of all the representatives (*ukīl*) of the villages, usually the village *jurā'ī* (sing. *jārī*).

000 This junta, which meets every three months in the «fractional» market, is presided over by the shaikh. Its principal duty is to carry out the collection of the tartīb, the tax paid to the Makhzin in Tetuan by each farmer on each head of livestock and on each hectare of land under cultivation which he possesses; it also assures the collection of the market tax, a small tariff paid by each man to the market amīn on the animals and produce which he brings into the market to sell. The money is destined for «fractional» use entirely: upkeep of the market, digging a new well, or for any purpose which pertains to or is of interest to the «fraction» in general. The shaikh of the «fraction» is responsible to the qā'īd for the assessment and collection of this money, while the qā'īd himself takes direct charge of matters which involve the caidato as a whole. In another building in the market place, the qādī, also assisted by a khalīfa, administers the Sharī'ā, which at the present time has largely supplanted the old Rifian 'urf or customary law.

This form of government, based entirely on the Arab system, has completely superseded the old regime of the Aith Arba'in, of the imghāren (sing. amghār), the family and village headmen who, in each «fifth», used to make up its governing body in the days before 'Abd al'Karīm. The powers of the imghāren, who also used to meet in the market, were much more extensive than those of the modern «fractional» junta, and included assessment and collection of fines for theft of livestock, for talking to women in the market, for suspected but unproven adultery, and the collection of blood money (dīyath). These

000 duties and the unwritten customary law which governed them have all been substantially assimilated by the legal jurisdiction of the Makhzin and by the Sharī'a.

Although in the old days there was no higher body politic than the *imghāren* of the «fifth», those of all five «fifths» used to meet together at a place called *aghrau* (pl. *ighrāwen*), the location of which had previously been announced in the market by the *barrāh* or market crier, in case a crisis arose which assumed tribal proportions. In case of adultery caught *in flagrante delicto*, the injured husband had, and still has, the traditional privilege of killing his wife and her lover with exemption from payment of blood money. In case of murder committed on profane ground, the murderer had to pay a fine (*ḥaqq*) of 5,000 pesetas to the *imghāren*, and blood money amounting to 6,000 pesetas to his victim's family, provided the latter chose to accept it. If they did not, as was usually the case, a feud was in full swing immediately, and the council members, leaving well enough alone, did not bother to interfere until after it was over, when the number of dead on each side was totaled up and excess blood money was paid to the party with the greater casualties. The *ḥaqq* was paid to the *imghāren* as well for the necessity of calling them together; but if one of the «fifths» failed to send its delegates to the *aghrau*, it received no money at all. A *sharīf* or *qādī* was always present at the peace negotiations to act as moderator, and he and the *imghāren* ate at the expense of and slept in the houses of the *thārfīqth* heads in the vicinity of the meeting site.

000 However, if a murder was committed on a Muslim feast day or in a market, or at a time when peace prevailed, the imghāren rushed in a body to the murderer's house to call him to account for his action. In case of murder on the road to or in the market itself, the haqq was doubled to 10,000 pesetas, owing to the market's sacred character as a place of peaceful trade to which came not only Waryāghlīs, but people from other tribes as well. If the murderer was unable or unwilling to pay this, which almost always meant that he had to sell all his property, the imghāren proceeded to burn down his house. (This was the case in the Bay of Alhucemas; among the mountain Waryāghlīs and in northern Giznāya, a murderer had to suffer both haqq and houseburning, the latter as a symbolic act of vengeance meted out to him by the whole tribe in the person of its body politic, for disturbing tribal peace as a whole and for committing his crime in an area which belonged to the tribe collectively.) If the murderer and his family still resisted, they had a war with the assembled imghāren on their hands as well as with the dead man's kin. If the imghāren and their cohorts won, as they usually did, they burned down the houses of the other members of the murderer's thārfīqth in addition, and the latter had to flee to another «fifth», another tribe, or out of the Rīf entirely for a period of at least two years, when, if they made peace overtures in the proper manner, they might be permitted to come back. But the Rifians are a proud people; if they returned at all, it was most often with revenge in mind. Needless to say, there are numerous little colonies of Rifian exiles all over Morocco; many

000 Waryāghlīs and their descendants are to be found in Tangier and in Fez. It may thus be seen that it was to the interest of the murderer and his family to come to terms quickly, for if they tried to go against the council, their days were numbered.

The imghāren were the real power in the land, and although the Sultan used to nominate quyād (pl. of qā'id), these were usually nothing but imghāren whose local prestige was slightly greater than that of their fellows. In Aith Waryāghar, the Bilād as-Saiba par excellence, a qā'id could not govern in the same manner as he did an Arab tribe; if he tried to institute reforms without having the force to back them up, he was likely to be quietly done away with. It was the assembled imghāren of all the «fifths» who dictated policy if the tribe was threatened from outside. They declared war, treated for peace, and contracted alliances with other tribes, and they did so jointly. The Rifians are democratic almost to the point of anarchy, and if any man was considered better than his neighbor, it was only because he had more brothers or cousins to help him out in case a fight started. The excellent description given by Coon of what is apt to happen at the meeting of an aghrau affords us a wonderful insight into the Waryāghlī character.

> «...The locality depends on mutual convenience. Each fifth occupies a section of the circle. A moderator talks to the members until a common attitude in regard to the subject of the meeting is agreed upon. The moderator now having received the instructions of his constituency, he approaches the center of the circle, and the councillors left on the outer ring finger their

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rifles and express their readiness to defend their spokesman if gets into a violent argument. They discuss the matter at hand a talking at once or whenever they please, since there is no chief moderator, and for one member to bid another to be quiet would b ample excuse for murder. Moderators of a fifth usually agree within themselves and the argument soon develops into a considera tion of how many fifths favor one opinion and how many the other The moderator of one fifth may lead the moderator of another aside and whisper to him outside the ring, trying to bribe him t come over to his way of thinking. If the second moderator succumbs to this, he returns to the central ring and tries to change the attitude of the other representatives of his fifth. The par goes on until a unanimous decision is reached or until the councillors begin fighting among themselves and the meeting breaks up in a battle. In this case the opponents form martial alliances, and the fight continues until one side has been defeated and made to pay indemnity to the other. Even when the council ends peacefully it takes at least a week before they reach an agreement» (14).

To his may be appended a short but very apt summation of the situation by Col. Blanco: «En el Rif, donde todos son personajes, sólo una política de massas y no de individuos puede ser fructífera» (

In the Rīf, up to the advent of 'Abd al-Karīm, the state of war was so permanent that it can truthfully be said that if it is customar for Europeans or Americans to declare war, it was also customary for the Rifians to declare peace. We must remember that the thārfīqth was

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(14) Coon, 1931, p. 97.
(15) Blanco Izaga, 1939, p.67.

000 the unit of vengeance, and that feuds between *thārfīqīn* even within the same village were a commonplace. House-to-house fighting was the order of the day. If a feud kept going long enough, the result was that the other *thārfīqīn* in the same and in nearby villages eventually began to group themselves around either one of the two feuding parties usually with the one which was closer kin to themselves. Thus we have the beginnings of a moiety organization, equivalent to the *ṣof* of the Kabyles of Algeria. If the members of one moiety gradually found themselves on the losing side, their representatives used to lead a bull to the mosque of a neutral village or *thārfīqth* the aid of which they desired, and the *faqīh* slaughtered it on the sill so that its blood spurted over the threshold. The fact that a bull was sacrificed whenever possible is significant in itself, as the Waryāghlīs are very poor and largely vegetarians by force of circumstances; a bull is the most expensive edible animal they can buy. The act of sacrifice worked as a powerful shame compulsion (*'ār*), and forced the members of the second group into alliance with the first, whether they were willing or not. This type of alliance was called *liff*, as mentioned above, and as the feud grew in size, so did the *liff*. If the feud remained localized, alliances were usually made anew after it was over, but if it spread enough to involve whole «fifths», the traditional *liff* alignment of the two opposing moieties of Aith Yūsuf and Aith 'Alī came into play again. The clever manipulation of this system of alliances which 'Abd al'Karīm displayed during the early part of his war was one of the major reasons for his successful unification of the Rīf (16).

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(16) Coon, 1951, p. 317.

000 It must be stated here, however, that it was unusual for most feu to become anything more than shootings on a local scale. First of al, feuding kept the population down; secondly, house burnings and exactic of fines by the imghāren were harsh repressive measures in themselves; thirdly, the constant fear of outside invasion by the councillors of another tribe (which occurred when the imghāren of Aith 'Ammarth stepped in on the side of Aith Yūsuf to end a feud between the latter and Aith 'Alī, plus the standard alignment of other «fifths», which had been going on for seven years) tended to restrict the scope of th feud and to prevent it from spreading; and fourth, individuals who we considered habitual troublemakers and soreheads even by Rifian standards were exiled. If they refused to accept the dictum of the imghāren they were unceremoniously put to death.

The above is a reflection of the Rifian political system and situation which prevailed up until the time of 'Abd al-Karīm. The governmental structure of Aith Waryāghar followed to the letter the true Berber pattern of superimposed representative councils, with a few of the members of each deliberative body being chosen to participate in the council of the group a rung higher up the ladder. Furthermore, thanks to the liff alliance system, as Blanco says, the individu in the thārfīqth, the thārfīqth in the jamā'ath, the jamā'ath in the «fifth», the «fifth» in the tribe (thaqbīt, pl. thaqbīr, from Arabic qabīla, pl. qabā'il), and the tribe in relation to other tribes all maintain an unstable equilibrium, expressed in terms of the linking o rubū' or of «fifths», and ultimately, in the two great rival moieties of Sinhāja and Ghumāra (17). As it happens in our particular case,

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(17) Blanco Izaga, 1939, p. 70.

000 Aith Waryāghar was (and is) too large and powerful to need formal alliances with other tribes, its only active ally having been Aith 'Ammarth, for, as many old greybeards have told me, “We could still go out and eat Tamsamān or Aith Tuzīn any day of the week”; but for small tribes surrounded by big neighbors, such as Thafarsīth, the *liff* mechanism was an absolute necessity, for if it did not exist they would have been swallowed up long ago.

The entrance of the Pretender Bū Himāra into the Rīf in 1908 and the short war with Spain in 1909 brought about a disruption of some of the traditional alliances and the constitution of new ones. This had a particularly important effect upon Aith Waryāghar because, for the first time, the tribe became truly united. Reinforced by contingents from Aith 'Ammarth, the warriors of Aith Waryāghar banded together to resist the Rūghī, and his *ḥarka* of Rifians from the east. They defeated him at the Battle of Imzūren and managed very effectively to check his progress in the Central Rīf.

We can thus see that tribal unity, dormant under normal conditions, is manifested when outside forces threaten to upset group equilibrium. The strongest allegiances are family and *thārfīqth* ties, but, in opposition to neighboring tribes, tribal allegiance is undivided. This has its reflection in tribal nomenclature: a man from Aith Bū 'Ayyāsh is called Bū 'Ayyāshī only in the tribal territory of Aith Waryāghar. Outside it he is called Waryāghlī, and if he is outside the Rīf entirely he is usually just referred to as ar-Rīfī. This is how the Rifian really defines his tribe, by inferred comparison to and in opposition to other tribes. Writing about another

OOO tribal society, the Nuer of the Anglo-Egyptian Sudan, Dr. E. E. Evans-Pritchard, has defined a tribe as having: 1) a common and distinct name; 2) a common sentiment; 3) a common and distinct territory; 4) a moral obligation to unite in war, and 5) a moral obligation to settle feuds and other disputes by arbitration. It is precisely upon these criteria that the Aith Waryāghar base their own concept of their tribe, as do all the other tribal groups as well. When menaced by Bū Himāra, the Aith Waryāghar were welded together by their common «we feeling», and stopped him.

The ultimate result of Bū Himāra's campaign in the Rīf was the rise to personal power of a number of petty imghāren who became absolute masters in their own bailiwicks. Such men were the Hājj Buqqaish in northern Giznāya, Muhammad 'Abdallāh of Aith ar-Hāsain in Aith 'Ammarth, and, in Aith Waryāghar itself, Muhand Haddū of Aith Bū 'Ayyāsh, Sī Ziyān of Ajdīr (Aith Yūsuf u 'Alī), Hājj Haddū of Aith 'Alī, Sīdī 'Amar of Imrābdhen, Muhand n Sī 'Amar of Aith Hadīfa, and 'Amar n Tāhir of Aith 'Abdallāh. This situation, with its concomitant liff alliances and wars between «fifths», prevailed until 1920, when Muhammad n 'Abd al-Karīm made his first appearance upon the Rifian scene. The story of 'Abd al-Karīm, whose relatively obscure beginnings (his father was a qādī of Ajdīr and not the qā'id of Aith Waryāghar, as is generally supposed) and sudden ascendancy first over his own tribe and then over the whole Rīf, the «Sultan» of which he then became, is too well known to students of Moroccan history to need recounting here. It is highly significant, however, in accounting, at least in part, for the Arabized type of governmental organization which

000 exists among the tribes of the Rīf at the present day.

After 'Abd al-Karīm took the reins of the jihād against Spain, it was necessary for him to start to consolidate his authority by installing individuals whom he could trust at all points, from the highest to the lowest, from «fifth» to village, in the political structure of his own and of the other nuclear Rifian tribes. The inner circle of men who made up his cabinet was composed almost entirely of his relatives and friends from Ajdīr, which became his capital: his brother Mhammad was his khalīfa and the Commander of the Regular Rifian Army; his paternal uncle 'Abd as-Salām was the Minister of Finance; his brother-in-law Muh Azarqan was the Minister of Foreign Affairs; and Ahmad Būdra, now the qā'id of the caidato of Nakūr, was the Minister of War. This move brought about considerabl objection on the part of imghāren of some of the nearby tribes, who, by and large, considered 'Abd al-Karīm to be a parvenu. He had, in fact, for some time previously been working for the Spanish Governmen in Melilla.

The separatist and explosive temperament of the central Rifians themselves had long fostered the maintenance of a decentralized type of government in which impetuous and trigger-happy council members were responsible as much for starting blood feuds as for stopping them. Feuding and the mechanism which served to maintain it, the inbred rivalry engendered by the liff alliance system, had to be silenced if the Rifians were to put up a united front against Spain. Tribal wars could only be abolished if the structure of political authority in the tribes themselves became more centralized. The

000 traditional Berber political organization does not easily lend itse to administration from above, whereas the Arab type does. 'Abd al-Karīm forced the newer system on all the tribes in his domain if the did not have it already. Although the imghāren loomed large in the early battles of Ighrīben and Anwāl in 1921, their status had becom reduced to that of quyād al-miya or quyād al-miyatain (qā'ids of 100 or 200 men) by the time the Jumhūrīya Rīfīya or Rifian State was officially created in 1924. Almost all the men in key position in the new government were from Aith Waryāghar but quyād, shiyūkh and muqaddamīn took the place of the old imghāren; some of the latter fel in with the new regime and became prominent military commanders, while others, like those of the Ghumāra, jealous of 'Abd al-Karīm's success, staged a revolt against him in 1924 and were quietly poisoned or taken off to die in the jails of Ajdīr and Thamāsīnd. By the time 'Abd al-Karīm had conquered the Jibāla and captured his riva Raisūlī in 1925, he was master of all northern Morocco.

The natural supplement to this Arabization of the old Rifian political system was the substitution of the Sharī'a for the earlier customary law. Before 1920, custom, or 'urf, had been king. If a case had arisen which had previously been unprovided for in Rifian la the imghāren met to discuss it. When they agreed upon a solution, which was usually expressed in terms of payment of such and such a fine, the local sharīf or any man whose piety and good sense was known and respected by all was called in to give his testimony and sanction to the law in question, if it did not run counter to the Sharī'a. After the law was passed it was registered by the tulbā or students in the Friday mosque, and proclaimed in the market by the

000 barrāh (18). These were the only steps necessary to integrate that law into the corpus of tribal custom. It was, in all but the most serious offenses, as we have seen, the «fifth» or the farīqath or even the village rather than tribe collectively which made the law and carried it out.

As has been implied above, 'Abd al-Karīm greatly weakened the power of the imghāren by centralizing the political authority in himself as head of a new Muslim state. This state was set up to conform to an orthodox Islamic pattern, and therefore the old customary law had to go. It went, and the result was that the Sharī'a was administered according to the Mālikī rite by a qādī in each «fifth» of the tribe. The weekly markets, in addition to their earlier functions as commercial and governmental centers, became legal temples as well, when separate tribunals were also set up for the qādīs, their khalīfas and their 'adūl. In the old days there had been qādīs too, but they operated on a far more informal basis; they held court in their own houses, and, in actual practice, they acted more as arbiters of Berber custom than as administrators of Islamic Law, while, as Blanco remarks (19), the 'adūl limited themselves to registering acts passed by the customary tribunal. The imghāren were the people who counted, and, until 'Abd al-Karīm's time qā'ids, qādīs, muqaddams and other functionaries with Arab titles were largely negative concepts in Aith Waryāghar and in the other tribes of the Central Rīf. Today, of course, the situation has been reversed; there are no more imghāren, while customary law operates on the village level alone, and plays second fiddle to the Sharī'a even there.

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(18) Blanco Izaga, 1939, p. 20.
(19) Blanco Izaga, 1939, p. 26.

000 A political reorientation toward an Arab governmental prototype thus became a mechanism for the preservation of Rifian freedom. But 'Abd al-Karīm's carefully constructed Jumhūrīya Rīfīya was shortlived: it collapsed like a house of cards in 1926, two years after its foundation, when the tribal fastness of Aith Waryāghar was itself invaded from the north by Spain and from the south by France, at which time the Waryāghlī commanders in the Jibāla and on the Wargha River rushed back to defend their own homes. Nevertheless, in the framework of 'Abd al-Karīm's Rifian State the Spaniards found a ready-made administrative set-up which has continued, with only minor alterations, to the present day. When the Rifian leader first came to power, he installed *qā'ids* in the *rubū'* of Aith Yūsuf u 'Alī and Aith 'Alī and in the «fifths» of Imrābdhen, Ait Hadīfa, Aith 'Abdallāh, and Aith Bū 'Ayyash. Later on, when the French Army began to push up into the Central Rīf from the south, he added two more caidatos, Turīrth-Thimārzgha and Aith 'Arūs, to tighten up his control over the unruly mountaineers in the southeast part of the tribe. After the war the Spanish administration maintained this chain of command, setting up tribal «intervencion» posts in Ajdīr, Thamāsind, Aith Hadīfa (Sūq ath-Thnain), Aith 'Amar u Sa'īd (Aith Hadīfa), Turirth (Sūq al-Arba'), and Imnūdh (Aith Bū 'Ayyāsh). In 1934, however, they subdivided the tribe into the three aforementioned caidatos of Uta, Upper Ghīs and Nakūr, this arrangement being the one which exists today. A far cry from the old *imghāren* of the *Bilād as-Saiba* days, each *qā'id* is now the representative in his caidato of the government of S. A. The Khalīfa Mulay al-Hasan in Tetuan. Most of the tribal functionaries

000 have already been discussed, but in addition there are today in each caidato a *nāzir al-ahbās*, who takes charge of *habūs* property, owned by most of the cantonal mosques, an *abū l-mawārith*, who turns over to the Makhzin the property of those Rifians who die intestate, and an *ukīl al-ghuyāb*, who handles the legal affairs of those of his fellow tribesmen who are not present to represent themselves. Considering that about eight thousand men go to Algeria to look for temporary employment every year during the harvesting season, the last mentioned official has a lot of work on his hands. The *qā'ids* and the *qādīs* each hold their respective *mahkāmas* in the principal markets of each caidato: Sūq ath-Thnain of Aith Hadīfa in Upper Ghīs, Sūq al-Arba' of Turīrth in Nakūr, and Sūq as-Sibt of Imzūren in Uta.

These weekly markets (*sūq*, pl. *aswāq*), held in the open air, are still among the most important of not only Rifian institutions, but those of tribal Morocco in general. There are six such markets spread throughout the tribe: the Sunday market at Thamāsīnd, the Monday markets at Aith Bū 'Ayyāsh (Izakīren) and Aith Hadīfa, the Wednesday market at Turīrth, the Thursday market of Imrābdhen, and the Saturday market of Imzūren, formerly the Wednesday market of Sīdī Bū Afīf. These markets are so situated that any tribesman can go to them, do his business and return, all in the same day. They serve not only for the circulation of local products (animals, grains, vegetables, fruits, eggs, butter, poultry, meat, milk, hides, wool, salt, charcoal), but also as places of exchange for the fruit of the local industry (plows, winnowing forks, wooden shovels, wooden pestles, stone hand mills of the rotary quern type, homemade rugs and other wool objects, mats, handmade pottery, and the esparto grass sandals

000 so characteristic of the Central Rīf). In addition, the markets act as clearing houses for leather goods made in Tetuan and Tāghzūth (babuches, scrips and harness) and for objects of all kinds imported from Spain and from French Morocco: sugar, tea, soap, spices, henna, matches, candles, nails, thread, glassware, and bolts of brightly colored cloth and silk to be tailored into shirts for the women. These European articles are all sold by itinerant vendors who go from market to market setting up their white canvas tents to transact the business of the day. In the Wednesday market at Turīrth I saw one merchant who even displayed a row of balloons.

As may readily be imagined, the market is a beehive of activity except during the month of Ramadān, when it is at best only half full. Beside the entrance is a row of market buses and just within it a few Imzīren may be seen plying their trades of blacksmithing and ironworking to the accompaniment of the clanging of hammers upon anvils; they are special people from Aith Tuzīn who form an endogamous class of socially inferior status. The tribespeople, from Aith Tuzīn or Tamsamān or Giznāya or Banī Yattuft (according to the location of the particular market under consideration) as well as from Aith Waryāghar, filter in in groups, unload their mules and donkeys in the funduq, and start to seek customers for their produce. Although a country boy, the Waryāghlī is a hard man to swindle, and his itching trigger finger was responsible in the past for turning many a market into a battleground («breaking» the market, in local parlance), despite the fact that markets, like saints' tombs, are considered inviolable and sacred territory, and that, as we have seen, the fine for killing a man in a market was doubled.

000 In one corner of the market a tribesman is showing the teethof h mule to a prospective buyer, while in another is the meat market, where a throng of people stand making a bid for a goat, sheep or ox, the carcass of which may be seen suspended from a hook in the roof; just behind it is the gūrna or slaughterhouse, where the butchers slit the throats of their charges in the traditional sacrificial manner, under the vigilant eye of a Spanish veterinarian. In the center a group of old women are assembled; they are selling eggs, poultry, bread and handmade pots with a light brown slip and black, painted geometric designs. In the Saturday market at Imzūren the women who sell pottery are mostly negresses from the thārfīqth of Isinghān («Blacks», sing. asmigh) of Aith 'Alī u 'Aisā in Ajdīr, formerly a client family of the Aith Hājj 'Abd al-Karīm (no kin to the ex-Rifian leader); to the anthropologist, this purely negro group seems to live just like the Rifians around them, and, although they are considered the social inferiors of the Waryāghlīs and are entirely endogamous, they do not form a separate economic caste, as they go in for little or no economic specialization other than that just mentioned. In a stall on one side of the market a weaver (darrāz) is working on a woolen jillāb on a horizontal loom; another stall houses two Berber-speaking Moroccan Jews, one of whom hammers out silver bracelets and the other repairs packsaddles. In a nearby cafe sit a group of men who are loudly and appreciatively gulping down glasses of piping hot mint tea, while in the background is the blare of Arabic music or news broadcasted from Tetuan, Tangier, Rabat or Cairo. Needless to say, in Aith Waryāghar very few people can understand the

000 news programs, although very recently broadcasts in Shilba, coming from Tetuan, have been implemented. In another corner the barber-bleeders (*hajjāmīn*) shave the dolichocephalic and sometimes favus-ridden crania of their patrons with unsterilized straight razors. And over all watches the market provost or *amīn*, who supervises the collection of the market tax and sees to it that the market is run smoothly and efficiently.

It is of interest to note that Aith Waryāghar is the center of a uniquely Rifian institution: the women's market (20). This institution is not only Rifian but Central Rifian in distribution. Aside from Aith Waryāghar, Tamsamān is the only other tribe possessing women's markets; it has two of them, one Tuesday at Suwānī of Tamsamān, just across the Nakūr River from Aith Waryāghar, and the other on Sunday. In Aith Waryāghar itself there are six: Sunday at Iswīqen, Monday at Isrīhen, Monday at Azghar, near Ajdīr, Friday at Aghrīdh, Friday at Ighmīren (Aith Bū 'Ayyāsh), and Saturday at Aith Qamra.

The people of Aith Waryāghar believe that these markets were established as the result of the endless intratribal wars, because, since women were noncombatants and were protected as such by the institution of *'anāya*, an interchange of commodities necessary for the survival of the feuding groups could only be carried on without hindrance in markets attended exclusively by members of the female sex. I have heard that the first women's market to be established was

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(20) Sanchez Perez, Andres: Zocos de mujeres en Beni Uriaguel , Africa Madrid, Mayo 1943, pp. 22-23.

OOO that held on Mondays at Azghar, and that it was the proposed establishment of this market which led to the seven years' war between Aith Yūsuf u 'Alī and Aith 'Alī, the former being pro-market and the latter con. In any event, whatever their actual origin, the significant fact is that men are entirely excluded (although little boys of ten years or under may go with their mothers). The women buy and sell the usual eggs, chickens, bread and pottery, plus a certain amount of grains, fruits and vegetables, with occasional love charms and objects for warding off the jnūn and the evil eye thrown in. The markets are supervised by an amīna and are subject to the same market duty as the ordinary markets. In the old days two men, standing at a safe distance from the market, used to act as guards and prohibited other men from entering; this is no longer the case, however, for in recent times Sánchez Peréz relates that a man from Buqqoya, interested in spotting a future wife for himself, went to the Saturday market at Aith Qamra dressed as a woman. He was soon discovered, however, then denounced to the amīna in no uncertain terms, and finally taken to the qā'id of Uta, who tossed him into jail (21). It is noteworthy that even in regular markets men and women do not talk or mix with each other, save in the transaction of business, but remain sharply and distinctly segregated.

Concerning the market as a commercial center, little remains to be said except that each market in the tribe specializes in certain kinds of products and falls into one of three definite categories: village, «fractional», and tribal. An example of the first is the

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(21) Sanchez Perez, 1943, p. 23.

Sunday market at Thamāsīnd, specializing in charcoal, to which go only people from the surrounding villages. The second type is represented by the Monday market at Aith Hadīfa and the Thursday market at Imrābdhen; both specialize in grain, and to both come people from Aith 'Abdallāh as well as from the «fifths» in which the markets are located. The third type is represented by three markets: that on Saturday at Imzūren, specializing in fruits and vegetables, which caters as much to people from Tamsamān and Aith Tuzīn as from Aith Yūsuf u 'Alī, Aith 'Alī and Imrābdhen; that on Mondays at Izakīren in Aith Bū 'Ayyāsh, specializing in animals, the most remunerative market in the tribe; and that on Wednesdays at Turīrth in the mountains, specializing both in grapes and, until recently, in contraband, for to it come many people from over the border of the French Protectorate, in Giznāya.

Important as is the commercial aspect of the weekly market, its underlying significance as a social and political center is perhaps even greater. Its opportunities for social intercourse are obvious, while the barrāh, who belongs to a debased and endogamous caste of gypsy musicians called Imdhiyāzen (sig. amdhiyāz) from Aith Tuzīn, wanders through the sūq announcing to the listening throng the latest decisions of the qā'id's tribunal and the noteworthy news items of the day. Storytellers and itinerant members of religious brotherhoods such as the Buhālīyīn of Banī 'Arūs in the Jibāla, put on shows for the people's benefit. As the site of the market is usually near a saint's tomb, visits to the shrine and contacts with living shurfā present serve to reawaken religious enthusiasm. The mahkāma of the

000 *qā'id* meets in a special building, and in another one the *qādī* judges individual cases according to the Sharī'a, while his *'adūl* are busy drawing up legal documents concerned with wills, inheritance, marriage, divorce, property and irrigation rights.

Since the Spanish occupation, the role of markets in tribal life has, if anything, increased in importance. In the old days, although the market was a thriving economic and social institution as such, there was little or nothing aside from the knowledge of the local people to indicate its location on days of the week when it was not being held. After the surrender of 'Abd al'Karīm, however, many market sites became headquarters for the «interventor», or Spanish tribal administrator. There are three such in Aith Waryāghar today: Imzūren (Uta), Aith Hadīfa (Upper Ghīs), and Turīrth (Nakūr), while Ajdīr, overlooking the Bay of Alhucemas and formerly the seat of 'Abd al-Karīm's government, now functions as capital of the whole «Comarcal de Beni Urriaguel». In all these market sites, villages with a permanent Muslim and Spanish population have mushroomed up around the seats of «intervención». With the extension of their earlier functions as social, economic and political centers, the markets have at the same time become points of tribal control on the part of the Spanish administration. A reemphasis on the essential functions of the market by supplying it with a permanent site has served to bring its very great cultural significance into even sharper relief (22).

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(22) Fogg, Walter: «Villages, Tribal Markets and Towns: Some Considerations concerning Urban Development in the Spanish and International Zones of Morocco», The Sociological Review, vol. XXXII, London, January-April 1940, pp. 85-107.

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Islām in Aith Waryāghar is much the same as it is in the rest of Berber Morocco. The Waryāghlīs observe the «Five Pillars» (professio of faith, prayer five times a day, fasting during the month of Ramadān legal almsgiving and the pilgrimage to Makka) as rigorously as they ca but extremely few have ever managed to make the long and costly trip to the holy places of Arabia. Rifian Islām is essentially a popular Islām, and is manifested chiefly by regular attendance at the cantonal mosque for the noonday prayer on Fridays, by veneration of local saint (Rifian imrābdhen, sing. amrābidh; Arabic murābitīn, sing. murābit) a by belief in supernatural beings (angels, jnūn and a local ogress of hideous appearance called thamza, who eats babies and is more or less equivalent to the 'Ā'isha Qandīsha of the Moroccan Arabs). As elsewhere in the Muslim world, heathen survivals in religious ritual are numerous. The people of Aith Waryāghar and of the Central Rīf in general are, however, not as ridden by superstition as those of the [illegible]bāla and the Ghumāra. In the Rīf, Tamsamān enjoys a far more religious reputation than Aith Waryāghar, whose name has always been linked more with warfare.

The principal zāwiyas (Ar. zāwiya, pl. zuwāwī) are those of Sīdī 'Abd al-Qādir in Aith Hadīfa, Tashtīwen in Jabal Hammām (Ihwahwahīyen of Aith 'Abdallāh), Sīdī Muhammad al-Hājj Mis'ūd in Aith Turīrth (Aith La'ārs), Aith Fārs in Aith Bū 'Ayyāsh (Ighmīren), Zāwiya 'Alawīyīn in Aith Bū 'Ayyāsh (ar-Rabda), and Sīdī 'Aisā, Sīdī 'Amar u Būkar, Sīdī Muhand u Mūsā and Sīdī Yūsuf in Imrābdhen. In 'Abd al-Karīm's time the only one functioning as a zāwiya was Sīdī Muhand u Mūsā in Aith Hīshim, located on the point known as «The Hillock

000 of the Saints»; today Sīdī Yūsuf and Zāwiya Iqanniyen, the local headquarters of the 'Alāwīyīn order, are the most active; all the rest, for the most part, have been reduced from functioning lodges of religious brotherhoods to simple schools or saints' tombs (23). Sūfī brotherhoods have never been widespread although the 'Alāwīyīn (a recent order centered in Mustaghānim, in Algeria), Darqāwa, Tijānīyīn and Nasirīyīn have each gained a number of adherents; the first-mentioned predominates at the present time and the second was the most popular before the Rifian war.

Although the whole «fifth» of Imrābdhen, technically speaking, is descended from *shurfā*, it has completely lost its *baraka* (a wonderworking power not unlike the Melanesian *mana*) through participation in feuds. (Imrābdhen belongs to a distant ramification of the *Shurfā* Idrīsīyīn.) The Shurfā alone, and not even all of them, possess the quality of *baraka*, upon which they capitalize; it is said that they can cure sick babies by spitting in their mouths.

The usual Muslim festivals are observed: 'Āshūrā, Mūlud (in classical Arabic, *Maulid*), 'Īd as-Saghīr and 'Īd al-Kabīr (called 'Aid th-Amzyān and 'Aid th-Amqrān in the Rīf), while two pre-Islamic events are still celebrated in the agricultural calendar or *'ām al-fillāh*: the 'Ansra, on June 24, a survival of the summer solstice rite, and the Hagūz, on December 31. The only local religious pilgrimage is the annual one to the tomb of Sīdī Bū Khiyār, in Bū Mā'dhin, Thimārzgha, in the mountains, at the time of the 'Īd al-Kabīr There are many other saints' tombs in the tribe, but they are only of minor importance and too numerous to mention here.

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(23) Rodriguez Padilla, Isaías: Cofradias Religiosas en el Rif y Diversas Taifas de Xorfas, Zauias y Santuarios, Ceuta 1930, p. 2

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A word still needs to be said about racial characteristics and ethnic personality. Like all the Central Rifians, about 40% of the Aith Waryāghar are standard Mediterraneans, with the usual Mediterranean racial attributes: short to medium stature, legs long in comparison to trunk, long heads, narrow faces, small teeth, prominent noses, dark hair, brown eyes and fairly heavy body hair. But, like all Mediterraneans, they show a persistent minority trend toward blondism; this tendency toward light brown hair and blue eyes is, among the Central Rifians, slightly higher than the usual 25% among other Mediterranean peoples. Coon believes this slight excess to be due to isolation in a mountain refuge area (for most of the blond Wuryāghlīs live in the mountains and not in the Bay of Alhucemas), and to mixture with an older strain (24), which is strongest in Aith Bū 'Ayyāsh and in the Jabal (Turīrth-Thimārzgha-Aith 'Arūs), as well as in eastern Aith 'Ammarth and northern Giznāya. This strain, which has probably survived from pre-agricultural times, is without question a very old one and shows a marked resemblance to the Afalou crania and skeletal material from Constantine in Algeria and, to a lesser degree, to the Cro-Magnon people of Upper Paleolithic Europe. The modern representatives of this strain look like Irishmen, with stocky body builds, wide faces (but long heads), snub noses, big teeth, reddish hair, green or light gray eyes, and freckles. I can personally attest that the presence of people of this physical type in the Central Rīf is far too frequent to be ignored, and strongly believe that these «Upper Palaeolithic survivors» are far too firmly rooted in their

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(24) Coon, 1951, p. 157.

000 mountain habitat to be accounted for by any invasion within historic times, whether it be factual or fictional. That the Moroccan Berbers are descendants of Goths or Vandals is a myth that is, unfortunately, taking a long time to die; even more unfortunately, I have met Rifians who have come to believe in it themselves.

If you ask an Arab in Tangier or Tetuan what he thinks of Rifians in general and of Waryāghlīs in particular, he will tell you that they expecially the latter, are ferocious, treacherous and that for a peseta they would be more than happy to cut your throat. In all fairness to the people of Aith Waryāghar, this seems a very harsh dictum indeed. But at the same time it must be remembered that in the past Waryāghlī children were conditioned very early in their infancy to violence and murder; they were constantly reminded that a slur on the family honor had to be wiped off the record in blood. There is also the additional factor of mountain air and a more balanced if simpler diet which makes the Waryāghlī physically stronger and tougher than the city or plains Arab; this is why he can stay out and plow his fields all day in a blistering August sun during Ramadān without bothering to stop for a siesta, and it is why he often landed a job as a construction worker or as a porter at the docks when he came to Tangier to find work after the drought of 1945. He is sober, industrious, and an excellent farmer who has, with the primitive tools at his disposal, managed to raise the maximum possible number of crops on a very rocky and infertile soil.

It seems therefore possible that the city Arab's reaction to the tribesman from Aith Waryāghar is born partly out of fear; the Waryāghlī in turn, has a low opinion of most Moroccan Arabs despite the fact

000 that they gave him his religion. The most lasting impression which he makes on the outside observer is one of sturdy self-reliance and complete individualism coupled with extreme pugnacity. He follows the dictates of his culture to the letter, and, in the last analysis, it is only within the context of the patterns of that culture that he can be accurately judged.

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PART I--MANUSCRIPT DATA ON RIFIAN SOCIOPOLITICAL STRUCTURE

1. STRUCTURAL FEATURES OF RIFIAN SOCIAL ORGANIZATION: ("LECTURE ON RIFIAN CUSTOMARY LAW"), uncompleted MSS., dated December 17-18, 19

101 A) General Introduction (fragmentary):.....The Berber area of
671 Morocco, or Blad s-Siba, is the land of custom or of customary law, a
opposed to the Arab area, or Blad l-Makhzin, which is the land of the
Sharia, or of Islamic Law[1].....

181 1) Berber "virtues" (and Rifian ones) include: a) a zeal for independence; b) a spirit of association (twiza, wuzi'a, dhwara, liff[2] c) a preference for "democratic" forms of government (councils, "oligarchical" institutions, etc.); and d) a respect for custom[3].

133 2) A slow descent from the mountains to the plain (what Blanc
134 means here specifically is the relatively rich alluvial Plain of al-
369 Husaima in the lowlands of the tribe of Aith Waryaghar), but without
369 urbanization...There is an indifference to "urban nuclei", which are
only visited, and not lived in, except by Europeans. The Rifian's
atmosphere is his tribe, and, even more so, his village or local
community.

648 3) The basic French error in passing the Berber dahir of 1930
671 was in sending a European magistrate to supervise criminal law proceedings in Berber customary tribunals (in the Atlas Mountains only: translator's note), and this satisfied neither Berbers nor Arabs[4].

177 4) The Rifian embraced Islam and Berberized it in his "prac-
671 tices and superstitions" (my quotation marks: translator), as he
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177 Berberizes, among other things, words, and the umbrella[5]...; and when
671 Koranic laws apply to him, he follows them only if they are compli-
779 mentary to his own custom; but, if there is a contradiction, it is
custom, and not the Shari'a, which is followed, and followed without
question.[6]

181 5) The author's expression of his personal sympathy for the Rifians: men who are "brave, loyal, hard-working, intelligent, modest, honorable, (long-)suffering, and austere."[7]

B) Introduction to Social Structure (fragmentary):

602 1) As an agricultural and warlike people, the social ties of
571 the Rifians are rudimentary[8] and become weaker as the number of in-
dividuals associated with them increase: thus, from family to tribe,
613 from village to region, there is a decrease in consistency. Strong i
621 "elemental" groupings like the agnatic lineage or the dharfiqth, which
619 units its members through blood ties[9], they lose rigidity although
they are still precise and detailed in the jma'th (or local community)[10]
and they become looser and more difficult to recognize in the upper-level groups, the dhaqbitsh[11] and its "fractions"[12], which nevertheless constitute the true "homeland" in North Africa, and are independent units[13].

571 2) The Rifian social organisms (i.e. units) are constituted
(602) by the associations between family (i.e. kin) groups which live together in the same territory, and thus have a localistic stamp which permits their evaluation in this manner. However, the institutions which constitute political groups do not have this character, as they are made up of elastic and complementary forms[14] which...retain

571 and orient a Rifian's activities and maintain...the safeguard of the interests which the community of his constituents does not guarantee him. While his social units are of a patriarchal, democratic and lay type, his political groupings are of a "military" type, true [562] alliances which join men together and not territories. While the social unit, minuscule as it is, has its proper jurisdiction over a territory and the people who live in it, whether men, women or children, linking together lands and families, the political unit only links individuals together, and these individuals are men only (author's italics)[15].

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792 3) The "religious group"[16] satisfies the small (sic) spiritual needs of the rest of the Rifians and at the same time utilizes these needs for benefiting the tribe: they are the imrabdhen[17], who want to keep out of the Rifian's quarrels so that they can be effective mediators and arbitrators for him--and it satisfies the Rifian cult for the individual himself, and lends some distinction to his society, to which he never shows himself averse.

44 4) The "economic group"....is characterized in the Rif by markets, Jews[18], the twiza, wuzi's and dhwara, all of which suffice to fulfill the Rifian's principal needs, as much in terms of personal interests as in beneficial or humanitarian ones.

181 C) Family Organization:

1) Rifian society is an organized anarchy, with all the antagonisms and contradictions which are inherent in such a concept; and these may essentially be reduced to the "instinct of defense" and its derivative, the "spirit of association"[19].

602 571 2) (The author's) concept of "groups": a) group of blood ties
613 (i.e. kin group)--family jajgu or "ascending ramus" (read "lineage
619 branch")[20] and dharfiqth or "family group" (read "lineage"); b) social
596 group--jma'ath: "fraction" or canton [21] (khums, rba')[22] and tribe or
dhaqbitsh; c) political group--liff or alliance; d) religious group--
tariqa or religious brotherhood, and murabitic families (saints); and
e) economic group--rural lands and property: storehouses[23], markets,
Jews, "beneficial institutions"[24].

594 Rifians are thus grouped into three "associations" (i.e.
596 levels) of kin groups: 1) hearth or (nuclear) family or dhaddarth[25];
613 2) "ascending ramus" or jajgu (lineage branch); and 3) "family group"
or dharfiqth (patrilineage).

594 3) The Nuclear Family or Hearth.--This is formed by the union
of a man, a woman and their (unmarried) children, and it should be
looked at from both the conjugal and filial standpoints. From a
594 conjugal standpoint, it may be composed of a man and his four wives
595 (and unmarried children). But Rifians are polygynous only in theory;
183 [554] in practice, only the well-to-do (such as shaikhs) are polygynous,
and even they seldom have more than two wives. A poor man only tends
to take a second wife if he has to, if, for example, he has divorced
595 the first one for not bearing him any sons. The function of polygyny
182 is to produce sons in order to prevent the extinction of the family
[181] in a society where the major law is "that of the strongest"[26], as
well as to produce a sufficient number of male children to take care
of agricultural tasks. "Oriental sensuality" is not a factor here,
in any way.

583 The foundation of the nuclear family is through marriage,
584 which in the Rif is a "contract of buying and selling"[27], for, as
the result of an amount (i.e. of money) stipulated by her father,
a woman becomes her husband's absolute property[28]. A petition is
made by the father or legal representatives of the woman; he, or
583 they, fix the bride-price (*ssdhāq*) and the manner of payment. This
584 contract, until very recent times, was unwritten[29], and the fact
212 that the jma'ath knew of the agreement was sufficient (to make it
binding). Even today (1935), most old men do not have paper (i.e.
583 documents--*r-knwaghadh*, sing. *r-kinghadh*.)[30] By virtue of this
584 contract, a woman, who is never her own mistress, changes owners
562 and becomes the property of her husband, who uses and abuses her as
593 such, always for his own benefit, either improving her lot or
586 abandoning her[31].

583 Of all the acts which must be performed prior to marriage, none is as important as (payment of) the bride-price; and the day that the boy's father and the girl's father are together in the latter's house, accounts are settled and the former hands the bride-price over to the latter. From this sum, the bride's father buys his daughter's trousseau, with an advance on account from the groom; the latter's representatives, some friends and a fqih are also in attendance. Part of the bride-price is given to the father (immediately) so that he can buy clothing for his daughter; the rest of this clothing is bought by the groom; and the remainder of the bride-price is paid in money[32].

586 [587] a) Suspension of Marriage:--If through the absence of her husband, the bride goes home and is reintegrated with her family, the husband then cedes all rights and obligations with the exception of property; but the wife cannot remarry unless she has her husband's consent.[33]

b) Dissolution of Marriage:--This may come about only through death or divorce, the latter being an act which only a man can initiate and a woman cannot.

462 c) Division of Labor:--Women care for children, keep house, prepare food (grind grain, fetch water, wood and fodder for the animals), wash clothes, and cook. They help reap the cereal harvest (in mid-summer) and carry the straw from the threshing floor to the house. At plowing time (in autumn), they sometimes carry the seed[34] and do the weeding (in early spring). They also bake the bread and care for the oven (located just outside the house). Men's affairs may be subsumed under the headings of war, agriculture, religión, and buying-and-selling; house-building, hunting, fishing[35], cutting trees and brushwood for charcoal, woodwork, reedwork, ironwork[36], wickerwork, work in palmetto and esparto, weaving, sewing[37], and burial rites and attendance at funerals.

562 d) Relations between the Sexes:--Men represent, direct, protect and administer. Women advise, help and obey. Men's work is free, external and primary, women's work subordinate, internal and secondary. Men administer their possessions as they wish, while women can neither alienate nor obtain anything[38]. Men have freedom of movement while women (theoretically) cannot receive visits from

562 anyone, not even their families, nor can they leave their house to wor
visit or travel, attend feasts, markets[39] or saints' tombs, without
previous authorization from their husbands, who tell them how long
[593] they may stay away from home. A man may correct his wife's faults
[684] in any way he wishes, and if she is guilty of adultery, he may kill
her[40]. If he has more than one wife, he sleeps with each in turn.

571 e) Concept of Turns:-(The notion of "turns" and of "doing
things in or by turn" is a cardinal one in Rifian society.) There ar
"turns" of gift-giving (r-ghramth) at weddings, of the allocation of
power (political hegemonies of families and even of tribes), of
(usage of irrigation) water, or corvees (twiza), of theft (dhukkardha,
of vengeance or reprisal (ar-raqba[41]), for (taking barley to) the
fqih, or harkas (war-parties or punitive expeditions), of pasturage
(dhwara)[42], and even of plows and animals during plowing time (if, as
often was the case during the "Republik", there was only one pair of
animals in the community). Rifian society is, thus, a turn-based
society, and the term nubth (pl. nubath), in Rifianized Arabic, is so
widespread as to include the inhabitants of a village.[43]

571 The case may be cited of a restless ex-qa'id (tribal chief
557 under the Spanish administration) who, desirous of returning to power,
constantly pestered the administration with suggestions that he be
(181) readmitted to office. As is logical and as a good Rifian, he wanted
to be able to make a resounding exit, with his head held high, if
he did not get the job. He wanted a responsible position in the
regional government of the Territorio del Rif (in al-Husaima, then
Villa Sanjurjo), and when he finally realized that his accusations

571 557 against the actual jobholder did not influence the Spanish authorities, he resorted to his supreme argument, the great length of time that he had held the office in question previously and that now his turn had come again--it was time to shift office holders, as the Spaniards themselves did with their own governments and political positions!

594 595 f) Filial Society:--The Rifian (nuclear) family may be composed of the father, several (i.e. up to and including four)[44] wives, and legitimate children. 847 848 Illegitimate children, along with their mothers, are killed, and today, the mother of an illegitimate child usually kills it herself if her husband does not already notice it (or her).

768 [587] g) Dissolution of Family:--This occurs only through the death of the father. When he dies, his eldest son takes over his duties as head of the family, if he is of age (i.e. old enough to do so); if not, the father's brother assumes this position and marries his brother's widow[45].

592 593 h) Family Relationships:--The father is the nuclear family's legal representative and administrator, and he is thus responsible for the faults of its component members. He administers property freely and can disinherit his children. He punishes the members of his family at will, though he does not kill or wound them. He has the authority to marry off his daughters and sons, although in practice he may be thwarted by opposition on his children's part; the latter, if they are sons, may leave home, and, if they are daughters possessing a measure of spirit, they will be disgusted (by their father's behavior). The father distributes work equitably and evenly

592 593 The mother has the right to punish her children, but cannot wound them.

[562] Sons enjoy a preferential situation within the family; they help their father in agricultural tasks and in defense of the hearth
883 and patrimony. They watch over the women of the house. Those of age
[785] (i.e. who have reached puberty)[46] start to fast during the month of Ramadan, as well as starting to plow and harvest the crops, after they have become too old to pasture goats. On reaching puberty, also, sons may spend nights away from home or be absent for periods of time.
[584] They do not own property. If a son should reject the matrimonial proposition (put to him by his father) he must look for the bride-price (himself), telling his father of this obligation. He may leave
885 his home without having to renounce his inheritance. After marriage,
593 although living in his father's house, he builds a bread-oven in
[591] order to separate his meals from those of his father. He is then a contributor (apart from his father, who generally hands land over to him to work, but who is not obliged to give him his share of the
[594] inheritance.) He pays his fines, and contributes his turn to the *fqih*'s barley allotment, and forms a separate *nubth* on his own.
883 On reaching puberty, he attends the mosque and goes to markets and
885 weddings; when he marries, he begins to take part in the council
623 616 meetings to defend his rights; he enters a *liff*[47]; and sometimes he
794 becomes a member of a religious brotherhood[48].

575 Sons and daughters are their father's property. A divorced
593 wife, even though nursing a child, cannot take it with her; and there
586 have been cases in which her own father has returned her children to her husband.

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

59 i) Summary:--The Rifian family is patriarchal and patrilineal,
agnatic and polygamous (i.e. polygynous). It needs to be large
562 because of possible loss through feuds or lack of hygiene. Although
428 legally a woman inherits one-half of what a man does (i.e. sons inheri
twice as much as daughters), Rifians interpret Muslim inheritance laws
in their own way, through customs such as "men's habus"[49], or the
return to her house of a divorced woman, whether this be Koranically
sanctioned or not. A woman does not inherit but is, in effect,
inherited[50]; she bears children but cannot give them her name. She
works, but cannot buy or sell; she exists to give pleasure to her
husband, and is maltreated in return; but she is probably happier
000 than many of her European counterparts..........In my own opinion,
the (Spanish) Protectorate has improved the status of women...and I
think that if the Rifians consider men to be the superior of the
sexes, this is so undoubtedly because men had to protect their womenfolk
constantly, with rifle in hand. They saw in them a cause of
weakness, but recognized them as being necessary to group survival
(sic!). The Rifian family needed a headman with unquestioned authorit
rigorous discipline without sentimentality, and an automatic ability
562 to heal breaches. Women were exempt from feuding and had at their
disposition their own markets, reserved for them exclusively; in a
sense, they formed a society which was semi-independent from that of
[926] men. In battle, they incited men to combat. The shift today (1935)
[178] toward Koranic norms is more apparent than real, and is taking place
at the cost of parallel diminution, at the same time, of the socio-political
importance of the group.[51]

562 428 [421] [361] Women are always considered as minors[52]. They have no property and do not, in practice, inherit. It would never even occur to a woman to ask for her portion of the inheritance; this is, indeed, very logical in a rural and bellicose society (whose settlement morphology consists of) dispersed dwellings, for otherwise it would 562 have been impossible to defend a woman against bold attacks. She can only take refuge in either her husband's house or that of her agnates. But women wear new clothes, sing, and dance, etc., at weddings, and at least they *seem* happy; and they are able to plague their husbands in many, many ways.

596 613 4) *Jajgu* (pl. *ijujga*--so-called in Aith Waryaghar; *jij*, pl. *ijajjen*, "wall-peg",--also, alliteratively, "penis"--in Aith 'Ammarth and Igzinnayen; and *azwar*, pl. *isuran*, "vein",--also, alliteratively, "penis" in the Eastern Rif):--This is the most difficult social unit to study, because of its intermediacy[53]. It is one of the "family branches"[54] (i.e. a branch of a *dharfiqth* or patri lineage). I 596 613 114 really cannot say more than this because informants, also, are unable to explain it properly. In my earliest notes, it appeared to me to be a uterine descent group (SIC!). If a man had agnatic descendants from three wives, he thus produced three "branches" of which he was the "trunk". I now (1935) believe this to be the case, but am not completely sure, for if a man who has only one wife has three sons, these also, as points of descent, form (the bases of) three *ijujga*. In any case, it is understood that branches or *ijujga* originate from each type (i.e. point of descent), but I feel that the more important category is that originating from a different mother; and, although

596 613 114 in her role in the family the wife does not count nor is her name perpetuated, there is no doubt that the blood-tie is different, as among our "brothers" and "half-brothers", and I therefore believe this interpretation to be correct.[55]

In any event, the jajgu is an important social grouping, as much in questions of succession, inheritance and collective responsibility as in the division of benefits, fines and communal property. These questions are simple enough for a Rifian in his own mind; and he thinks the question of what jajgu or jma'ath he belongs to such a simple one that he is astonished if the investigator asks him why. To this he does not readily give an explanation; furthermore, even if he (himself) wants to learn, he sees no benefit in teaching (others). He understands his own affairs up to the precise limit which is necessary for him in order to safeguard his own rights and interests. Beyond this point, he is not interested.[56]

596 613 [623] If the jajgu head is incapable of representing his group properly, there is always someone whose courage or polemical attitude may result in his being the spokesman. The headman of the jajgu is called aziddif or aziddjif (pl. iziddifen or iziddjifen,[57] literally "head"), and, with other such headmen, the jma'ath or council[58] of the elementary social unit is formed. These iziddjifen are thus the authentic representatives of the blood or kin groups which in Rifian are called dharfiqth (pl. dharfiqin), or "family group" (i.e. lineage).

613 5) Dharfiqth (pl. dharfiqin):--...When a Rifian says, "I am of the dharfiqth of so-and-so"[59], he means that so-and-so, in his own memory, is (usually) his most remote genealogical ascendant (on a step-by-step

613 basis). The *dharfiqth* is the fundamental unit in Rifian social organization, and it is erroneous to circumscribe it by defining it in terms of volume: so and so many houses, hearths or rifles.[60] The 613 623 *dharfiqth*, a kin group, is independent of the *jma'ath*, which is the association of dharfiqin or *parts of them*, and thus the elemental unit of the social (read "political") organization, the most distinctive feature of which, in my opinion, is *lack* of kinship, a point soon to be proven when we speak of the organization of the grouping called *jma'ath*.[61]

613 114 According to Robert Montagne in his *Les Berberes et le Makhze dans le Sud du Maroc*, Paris 1930, p. 239, the Rifian *dharfiqth* is equivalent to the family (i.e. lineage) group called either *ighs* or *ikhs*, or "bone", in the Atlas. It contains a dozen houses, thirty or forty "hearths" (i.e. *nubath*), and is a group strong enough to defe itself. Its leaders call themselves *amghar* (pl. *imgharen*). Montagne says the word is derived etymologically from Arabic *rafaqa*, "a group or company of people", or that it may be a deformation of Arabic *farqa* (or *fariqa*), "division".[62] He thinks it possible to attribute the name "clan" to the unit which the Aith Waryaghar (and other Rifians) call *dharfiqth* because it is a larger and more durable family group than the *ikhs* of the Western High Atlas, while at the same time a kind of political unit, for it insures the fact that the blood tie exists between "hearths" of the same Rifian *jma'ath*.

My own opinion is that Montagne is in error here. Within the [623] *dharfiqth*, to be sure, there are indeed blood ties, but within the Rifian *jma'ath* there is no known kinship between its *dharfiqin*, for

613 614 623 a single dharfiqth may contribute to the formation of several jma'th-s, even in different tribes. And thus the jma'th of Aith Waryaghar is an agglomeration of dharfiqin without known relationship to each other.[63]

623 613 [596] The iziddjifen have well-defined functions within the above groups (e.g. jajgu and dharfiqth), such as the distribution of work, payment and benefits (barley to the fqih, rations to the poor, reception of guests, fines, irrigation turns, participation in communal property, etc.), and formation of the opinion which their delegate to the outside world has to express, as well as support for him in the viewpoints he is to maintain. The iziddjifen, as representative of the dharfiqin, are the primordial element in the "play" of the jma'th.

D) Position of Women:

562 182 171 A Kabyle can do what he likes with his wife except make her a corpse, while a Rifian considers her as precious coin in the cancellation of blood debts, and a Berber from the Atlas Mountains regards her as a precious offering in his request for an alliance[64], when the insecurity of the social grouping made it mandatory to look for friends to reinforce it.

562 627 628 The sad (Blanco's term) condition of women is most clearly revealed in reprisal and in the norms which regulate it, such as their devaluation, pre-Islamic in character (sic), revealed through the exemption from the act of vengeance of a husband who kills his wife;...North Africa is an area where women can be killed, and the blood-price (Arabic diya, Rifian ddiyith) is half that for a man.....

684 As to adultery, in Kabylia and the Rif, the offending woman is killed,
171 while the Braber of the Middle Atlas and the Bedouins of Mauritania
take care of the matter with a fine.

I recall hearing of young Rifian women "martyrized", roasted
over a fire, whipped, enchained, hung from the main beams of their
562 houses, or with a pick stuck in their heads[65]. Women do not inherit
428 in Kabylia, nor even in the Rif, in practice; if they do, it is in
171 lesser proportion, and only in movable property. Among the Aith
Ndhir of the Middle Atlas, on the other hand, a woman and her
daughters can be inherited, and even Muslim law has not done much
(1935) to modify this fact in that tribe.

562 Women are divorced whenever their husbands want to divorce
586 them, and they are even put in the position of being neither single
582 nor married, i.e. a general or conditional prohibition of marriage.
[171] A woman's husband must give her authorization to marry again, even
though he is separated from her; this happens often in Kabylia and
562 is not rare in the Rif. Custom gives women the right of *insurrection*
586 (Blanco's italics) or refuge in their fathers' homes or in a *zawiya*
778 (residence of a virtuous or holy personage, and invariably associated
623
[171] with a saint's tomb); and it gives their husbands the right to complain
to the *jma'th*, a right which women cannot exercise themselves in
Kabylia and which they can in the Rif and among the Berbers of the
Middle and Central Atlases, although, however, they must make such
complaints at a respectful distance from the council meeting or rather
627 through crying them out. This is always preferable to registration
171 of complaints through a Kabyle intermediary or a Muslin *ukil* (legal
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627 representative), while among the Shluh Berbers of the Western Atlas
171 and among the Rgaybat Bedouins of the Western Sahara, women can be
562 their own ukilat (fem. pl. of ukil), although they cannot represent
other women, as I once saw in Ibuqquyen (West-Central Rif)[66]...Rifian
562 women may visit their families whenever they want to, and, in general,
[574] if Berber women are not given the same treatment and value as men
are, they do, nonetheless, have certain advantages which derive from
[443] their status as minors.....In the Rif, women's markets are an exampl
of this: they are meeting places completely free from men, where
transactions take place, where brides are looked for, where amulets
are bought and where news of the day is heard and spread. But a
[576] woman in the Rif, if she passes a man on a path, must always give him
the right of way: she greets him first, lets him have the right of
855 way, and continues on the lower part of the path....Rifian women lov
their children.

E) Property (fragmentary notes):

432 In the buying and selling of individual property, the jma'th
[623] (used here in the sense of council) did not intervene; the only parti
concerned were the buyer, the seller, two 'udul (notaries public) and
the qadi, the latter three individuals having to draw up and sign
the necessary document. Even in the case of jma'th property[67], the
jma'th did not intervene; once again, the 'udul drew up the documents
427 in question....In the event of renting land, in which a document is
623 not needed, the petition is handed to the village mqaddim (headman)
426 who convokes the jma'th and agrees to the conditions. The same appli
686 in case of mortgages....In case the petitioner does not fulfill his
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426 part of the bargain, he is reminded to do so by the chief, and if he
686 refuses, they forcibly commit a theft of animals or property, so
627 that his *jma'th* will hear of it; and they thus oblige him to fulfill
623 his promises or give rise to the intervention of his *jma'th*, which
will force him to start negotiations.

685 The property of thieves is sold as indemnity, and, if they
627 have gone or if this cannot be done, that of their kinsmen is sold,
a fine is imposed, and the eyes of the recalcitrant individual are
plucked out by a member of his family if he is caught[68].

623 None of the decisions of the *jma'th* are registered.

F) *Social Organization*:

1) The *jma'th* has generally been defined in terms of what it is not. It has been likened to the Roman *forum*, the Greek *agora*, and the Scottish clan[69]; and it has been considered the "cornerstone" or the "roof" of the "Berber house". It has been characterized as an administrative unit by some, and as a social, judicial (i.e. jural), religious or military unit by others. Some have taken the number of houses as a base point, others the fact of whether or not it contains a Friday ("cantonal") mosque. The etymology of the word--"assembly, meeting, council, *junta*"--has also been invoked as a basis for definition, but this, by itself, is also insufficient[70].

623 In my view, the *jma'th* is the elemental form of the association
621 of neighboring family groups oriented toward essentially economic ends.
[613] The actual number of such groups, whether two today or two hundred
tomorrow, and whether occupying thirty or two hundred households, is

623 immaterial; for a *jma'th* which formerly contained only two *dharfiqin*
613 may now have three, four or five, and tomorrow even more, with a
621 proportionate increase in houses and rifles. What the *jma'th* is *not*,
however, is a family group united by blood ties--it is not a *dharfiqth*.
623 ......The *jma'th* came into being because of the necessity of common
182 usufruct of elements essential to sustain life, such as water, pasture
621 lands, brushwood, etc., and because of the necessity of regulating
relations, both material and spiritual, with one's neighbors (hence
mosques, which come into being after such an association has been
effected). The result was that when a group for any reason abandoned
its original *jma'th* in order to establish itself elsewhere--insofar
as its growth and development made it do so, it cut off relationships
with its parent group and its point of origin to constitute a new
and independent nucleus[71].

621 Many Rifians confuse *dharfiqth* with *jma'th*, and proof of this
623 is that when one asks the members of a given group where they are
613 from, it is the same to them to answer "From such and such a *jma'th*"
[829] or "From such and such a *dharfiqth*", because the *dharfiqth* in question
forms part of the *jma'th* whence they originated. *Jma'th* has a geographical connotation, while *dharfiqth* smells of nomadism (sic)[72].
This also explains why in different places one may find *jma'th*-s
having the same name but formed by different *dharfiqin*, because over
the course of time other splinter-groups from other *jma'th*-s became
associated with the initial splinter-group from the first *jma'th*.....
621 I am dubious about the value of the number of households as a cri-
623 terion in definition; but I think that the best single datum available
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621 today for finding out the volume of a social group is the list of
623 nubath or turns to provide food for the fqih. It is more constant
571 than an enumeration of houses or guns[73] or persons, which is more
subject to variation. But it must also be remembered that there are
two kinds of turns: those based on hearths, and those based on plows
and animals to pull them. In some areas, one type is used, and in
621 others, the other.......The notion, however, of the Friday mosque as
623 a defining and anchoring characteristic of the jma'th is not bad, and
571 as such, it may be compared to the Spanish parish (parroqu'a)--but
794 only in the sense of members of different dharfiqin coming to prayer.
[613] This applies even if the mosque in question serves only as an individual place of prayer for a well-to-do family, and not as a common temple.[74]

623 The etymological definition of jma'th, "meeting, reunion, convocation" is in itself insufficient also, as it is too general.

2) Function of the Jma'th (understood again as council): Economic. It regulates services in common, i.e. use of water, pasture land, ghabth (brushwood) and communal lands, and, by extension, social relations (hospitality, benefits) and spiritual relations (funeral
623 services). Custom which is privately initiated in the kin group now
671 becomes public by acting as a yardstick in such relationships, and it
is in the qanuns[75] of the jma'ths where the first rudiments of Rifian
[613] customary law appear. This law is both more elevated and more humane
than that of the dharfiqth, which is purely one of reprisal.

621 In most jma'ths, industry and specialization is represented only
623 by a master blacksmith, aside from women who make pottery by hand;
463 on the other hand, in the "fraction" (clan or subclan) these
326 necessities are complemented.
323

000 on the other hand, in the "fraction" (clan or subclan) these necessitie are complemented.

621 623 423 The patrimony of the jma'th is made up exclusively of communal lands. The jma'th is thus formed not only by people but by lands. It thus has a territorial significance which the dharfiqth lacks, for it may have immovable property in another tribe[76], and acts committed by its members outside the "municipal terminus" are thus not handled by it exclusively. 614 621 623 For this reason there is a need for another social organ structured in an analogous manner, but of greater importance and more extensive jurisdiction: the "fraction" (i.e. clan or subclan.) This wider grouping, although it also has a localistic significance and a breadth wider than the village or hamlet of isolat homesteads or groups of homesteads that we have seen in the jma'th, has other more sharply defined characteristics. It alone intervenes in inter-jma'th matters, in most cases; for the custom of the jma'th itself is nothing more than inter-family (i.e. inter-lineage) custom.

3) The "fraction" (clan) is an association of neighboring jma'th- for sociopolitical ends; it is a state in miniature, an independent republic, and the true Rifian patria because it is within the limits of this unit that the Rifian lives out his life; where he finds what he needs, and where his law is made[77].

614 443 [671] The clan has two distinctive features: its law and its market. It is my opinion that places in tribal areas which the natives regard as ancient Christian[78] market sites are nothing but former "clan" markets which are no longer in use and the memory of which has not persisted through time. In the tribes of Aith Waryaghar, Axt Tuzin,

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[619]
In the tribes of Aith Waryaghar, Axt Tuzin, Thimsaman, Aith 'Ammarth, Ibuqquyen, Ktama and Sanhaja Srir, each clan has its own market[79]. Only in a small tribe or in one with more or less artificial clans is this not the case. The clan, which occupies a well determined area topographically, as a rule (a large meseta, valley, mountain fold, etc.), is a rare one which does not have or did not formerly have its own market, where the clan representatives or imqqranen came together to agree upon and proclaim their law, their rules of coexistence, which in some cases were drawn up on paper and which form the basis of my La Ley Rifeña, 2a Parte.

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[619]
The clans of a tribe did not originate through accumulation of the association of jma'ths, but rather, the tribes which came to settle in the territory already contained three, four or five clans in their nomadic (sic) state, and the new lands were distributed equitably.[80] 613 However, it is easier to follow the schematic representation of social groups from smaller to larger units, as the lineages characteristic of these are clearer and better defined. 619 614 623 621 In the tribe, they are quite relaxed, and it is more difficult to see them, because the clans themselves are apt to show this by their patronymic designations, "sons of X"; but this opinion is provisional, as there are also names which are not genealogically based, as in the case of the clan names of Ibuqquyen (Izimmuren, Azghar and Thaghidhith) and in Ija'unen of Aith 'Ammarth; and the same might well be the case with the jma'ths, whose names are often geographical ones.[81]

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In the clan, we have all the institutions, organisms, dependencies and economic specializations most necessary to sustain life: an amrabit or hermit saint venerated and besought for pilgrimages and miracles; a market for the provisions and supply and for the council

614 site of the clan assemblies or igrawen (sing. agrau); master masons and carpenters; a loom; grain mills and olive presses. The clan has memories of men and places which tradition perpetuates and puts, because of their symbolic virtues, above the daily fratricidal struggles, taking them beyond the poisoned and corrupted ambit of the village and the vicious atmosphere of the jma'th in order to breathe purer air (as it were), that of the multitudes, of sociability, and
614 of humanity. For this purpose it is allotted a special day and a
443 special place (i.e. market day and the market) in which a truce is
796 established, and in which the human voice acquires its noble sound and drowns out the dry crack of the rifle shot. Interestingly enough, Friday is not the day which Islam sanctifies as the day of rest[82]; the market day is in fact the day when the Rifian rests and finds peace among his fellow believers.

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623 The clan is not a rudimentary institution merely involving social coexistence, like the jma'th. The clan gains in spirituality what it gains from an economic standpoint in territorial amplitude through the wider association of groups of interest. The clan resolves graver and more transcendent matters than the jma'th does.

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619
616 The clan independence (read "autonomy") is determined by the promulgation of the executive force of proper clan law within an elastic (author's italics) geographical perimeter, and by the possibility of the clan subsisting on its own resources, this independence, this liberty, has a limit, an area of movement, a radius which is fixed, as in all these associations studied here, by the higher power of the tribe and by that of the liffs or alliance systems, as the

614 latter are an incommensurable force in which both the individual and/o
[619] the group(s) to which he belongs may take refuge...Thus, if the clan
[616] has a geographic character[83], its primary distinguishing features are
its customary law, its qanuns and its market (as in the qanun of the
Wednesday Market of Sidi Bu 'Afif, which marks the jurisdiction of
this market and the men who admit the same and arrange their lives in
accordance with it--see La Ley Rifeña, 2a Parte, pp. 59-68).

619 4) Tribe or Dhaqbitsh: The tribe is the highest-level form of
614 clan association (i.e. a tribe is made up by a given number of clans
619 or maximal segments). The function of a tribe, also, has on this
614 level been transformed into that of maintaining interclan equilibriu
671 (i.e. the theory of segmental balance and opposition), which is
182 guided by the same norms as within each clan, and if it actually has
no overall customary law common to it as a single unit[84], it nonetheless forces...any of its delinquent members to rectify any errors,
faults or mistakes he may make, but always in accordance with the law
619 of his clan. Thus we may observe that, within the tribes, their clans
614 form two balanced and equilibrated lfuf (pl. of liff), or liffs, as
616 the tribes, on their own level, do in turn[85], and as even the dharfiqi
[613] of a given jma'th do, two, three or four rungs down the ladder. It
[621]
[623] would seem to be these liffs which have always served to watch over
and maintain the continued existence of the "fractions" and tribes,
while at the same time having been responsible for a fierce opposition
to penetration of the area on the part of the Makhzin (both Moroccan
and Spanish)...If the jma'th is the secondary school of Rifian democracy, the "fraction" is its high school and its tribe the university.

423 A curious feature of Rifian society is that the territorial
limits of its social units are to a certain extent elastic. An in-
dividual or a family, for example, may acquire land in another tribe,
and his or their own clan or tribe does not appropriate for itself
the territory he occupied previously; this remains fixed. But when
[628] the properties of an individual or a kin group which are modified are
bordering each other, then the jma'th, clan or tribe, or rather, its
area of extension or its areal jurisdiction, follows an analogous
variation, improvement or cutting-off, increase or loss, advance or
retreat, as the case may be; and such instances bring about not a few
423 quarrels and altercations. This happened in Ibuqquyen, whose people
619 saw their neighbors of Aith Waryaghar creeping into their territory
through slowly buying up all the good land around the middle course of
the Buham River, at which point they opposed selling them any more
terrain...This territorial elasticity, although it does not bring
about great modifications because of the incessant watch which the
tribes instinctively keep over their land, also derives, no doubt,
from the ancient family concept of opposition to everything which
could weaken it; and, as a result, such land returns most often to its
tribe of origin through abandonment, new acquisition or exchange, if
it has been alienated. Such elasticity tends to become lessened (with
[131] consequently greater rigidity of tribal boundaries) when it coincides
with natural boundaries, as, for example, in the middle and upper
courses of the Nkur River, separating the tribes of Axt Tuzin and Aith
Waryaghar; but even so, this play of property has nevertheless modi-
fied tribal frontiers as well delineated as this one.

623 5) *Councils and Tribesmen of Authority*: All units under con-
sideration up to now (the three "family" ones and the three "social"
ones) have their relationships regulated by councils, which, although
bearing different names, have similar and analogous functions. The
council of the *jma'th* must undergo no formality in order to convene,
and it has no president, although at times the agreements which it
(885) comes to are drawn up in writing. Any male (above the age of puberty)
[613) may attend and take part in its deliberations; but the personificatio
of it is embodied in the *iziddjifen* or headmen of each *dharfiqth*, and
these men together form an authentic and permanent council. This
council above all legislates what the *jma'th* deems necessary, in con-
formance with custom and its agreements. The assembly itself or its
representatives chosen for each particular case[86] make and execute
all decisions. It is thus a legislative, consultative and executive
body[87]. Its attributes, nonetheless, are constantly limited on the
[614) one hand by family law, in the form of reprisals, and on the other b
the power of the clan, which tries to keep it from prejudicing neigh-
boring *jma'th*-s or the clan itself in its external politics. Thus,
what it has is an administrative autonomy.

623 This council(s) elects its functionaries, the best defined of
793 which is the *fqih* of the mosque, who is in charge of leading the
212 prayer and of burial services; he is administrator of mosque property
(*habus*)[88], as well as jural notary and council clerk and secretary.
In large councils, however, these jobs may be handled by more or less
ignorant *tulba* (sing. *talib*)[89], who pompously attribute to themselves
600 the qualifications of *qadis*. The *fqih* attended to the resources of th

The fqih attended to the resources of the
623 mosque and the necessities of the cult; and the others usually bought
793
411 arms and ammunition which were lent out in necessary cases.[90] A man
thus favored rarely returned his weapon, as the habus was considered
to be a "rich widow".[91]

623 The council of the jma'th also maintained agricultural super-
624 visors, usually two who retained this office in perpetuity, even though
312
242 masters in the art could be called up in necessary instances, such as
litigations over other matters.[92]

623 The zealous equality and jealousy of the dharfiqin making up
613 the jma'th were generally responsible for the fact that the latter did
not have an individual official representative who presided at meet-
ings or imposed the executive of its decisions; but, at times, when
one dharfiqth succeeded in acquiring, through cunning, bravery or
money, some degree of preponderance, it generally came to an agreement
with the others, and they all designated a representative. After this,
[557] the struggle began between the representative himself, inching his
way toward personal power[93], and the jma'th, which was jealous of his
623 attributes and reputation. There were also religious struggles in
578 these minuscule nuclear social units, between, for example, an amrabidh
776 desirous of politico-religious influence and the jma'th, or "power of
792 the laymen", which, through cunning, always knew how to keep him away
from the benefits of power, and also excluded him from responsibilities.
623 The representatives took the title which pleased them most, usually
shaikh, but they were also known as iziddjifen (sing. aziddjif, literally "head"), or "headmen", and as imqqranen (sing. amqqran, literally "big"), or "big ones". Thus the same anarchy and confusion which we

623 find in the institutions themselves is also found in their names and
in those of their representatives.......Very seldom, however, could
a single representative impose his own will, and the will was collec-
[642] tively that of the representatives of the *dharfiqin*. Each repre-
sentative had a compact group of men behind him to back him up in his
decisions, and for this reason the Rifian governmental system was in
[622] reality an oligarchic one.[94] Hence the importance of the *iziddjifen*,
which has not diminished even in Spanish times (1935), as the present-
day *mqaddim*, or village headman, is a decorative figure and a confidant
of the tribal *qa'id*, if not a plaything of the *iziddjifen*, or indeed
their servant. It is not rare for *interventors* (Spanish tribal admin-
[648] istrators) to see, on their arrival at a *jma'th* a representation of
this fact, with the men in file and the *mqaddim* at their head. So
far, so good; but this external apparatus is nothing but a masquerade.
[622] There is no more than an absurd[95] functionary, the *mqaddim*, to whom
no one pays attention save for a half dozen friends, relatives and the
poor, who have only collected together under threats; but it is far
more difficult to find the *iziddjifen*, who continue to meet in their
habitual place or do their best to hide in their houses only to re-
appear after the representatives of the Makhzin (i.e. the interventor
and his mkhaznis) have left, in order to smell out the bad news brought
by the latter and to look for ways to annul it!

623 621 591 793 The *aziddjif* or *amghar* (pl. *imgharen*), the *fqih*, the *aquwwan*
and the *amarras*, or storehouse guardian, are the proper functionaries
or notables in a *jma'th*, an admirable economic organization[96], the
administration of which does not cost its members a single cent, for

623 621 571 the fqih, fed by turn (nubth), receives one-fifth of the yield of the
793 land in habus, the "rich widow"[97], and the others get what falls to
623 them gratuitously. In the amarras or storehouse/silo guardian of
184 the Eastern Rif[98], we see another functionary of the jma'th, who,
343 624 through the asuqi (25 kilos for 4 mudd, or measurements of barley)[99],
was in charge of the preparation and custody of individual silos in fixed places, called ma'ar, which came to represent, for Rifians, the collective storehouses of agadir-s (whence the place name Ajdir, existing in both the tribes of Aith Waryaghar and Igzinnayen) of the Moroccan South[100].

646 The iziddjifen or family heads were the real directing nucleus
614 of the jma'th; and in the clan, the governing body was made up of the
[623] imqqranen or "big ones", who habitually met, with legislative and executive functions, in the market. The clan delegates were collectively known as the Aith-(th)arba'in, and the meeting itself, the agrau (pl. igrawn), of the tribe. The Aith(th)arba'in were unappealable. Fqih-s and men of law were mediators, collectors or executors.
646 The Aith(th)arba'in, however, made the laws, interpreted them, and obliged people to obey them, without discussion, backtalk or subterfuge. This was a true form of popular representation, the powers of which, although they did not emanate directly from the people in many cases, or through a European-style elective system, were indirectly derived from, and with the tacit consent of, their constituents....... It is a rare person who can produce a document which accredits him as a popular (author's italics) representative, either circumstantial or permanent, but, nevertheless, no one with a better title or more

646 authority could obtain for himself by entreaty the representation of
646 popular sovereignty. This representation gives him social prestige,
554 a prestige which in the Rif can only be won through bravery, ability or wealth. Beside it, the religious power, also represented by virtuous men, served most of the time only to decorate by their persons, to legalize by their presence, and to preserve with their spiritual power the most solemn agreements. Once such prestige was acquired, it could even be consecrated, as it were, in a written title (such as the Qanun of Lower Thamasint), but this meant ultimately the beginning of personal power and the abandonment of a democratic organization[101]......Such representation won through the personal courage and effort of those who wanted it was given a measure of authority and permanence, a fact which obliges (1935) extraordinary prudence in Spanish nominations of tribal notables--for the original lack of prestige of most functionaries of the Makhzin follows them all their lives as a shadow follows a body.....In a tribe which I
[123] once administered there appeared a new *qa'id*. The news reached me,
[124] and I wanted to find out in a superficial manner how the nomination had been received; but wherever and whenever I mentioned the word "qa'id", the people I talked to called the man *amzir*, or "blacksmith"--the Rifian is a master when it comes to establishing social categories!......Another typical case: among the Aith Waryaghar it was very common in an *agrau* or council meeting for one of those attending to get to his feet suddenly and express his own opinion at an opportune moment. The *igrawn* were popular assemblies and many people attended them, each man coming armed and gesticulating with his rifle,

7 646 although not all of them with the same degree of forcefulness. Any-
554 one may speak, although the majority, as elsewhere, are silent. A
spontaneous speaker caused the same sensation, stupor and curiosity
as those like him in Spain do in the bull-ring, and the result was
almost the same. An amqqran or councilmember interrupted him, saying
"You here, you have just made the gesture of a stupid idiot," and the
poor man, reddened and embarrassed, was silent amid general noise
and quarreling, which the ingenious councilmember smilingly recalled
646 in later years.....Another incident: once a man whom I did not know
554 was proposed to me as a candidate for a position of tribal authority,
124 and I wanted to find out about him. I began a series of questions
and reflections regarding the virtues which anyone nominated would
have to possess, such as honor, ability, etc. I was, however, surprised to find the person to whom I was talking interrupt me, saying quickly, "No, no, no! You think he is like So-and-so?" (And So-and-so was a very short-statured men, as I myself am.) "Not at all, he is thus!" With this the speaker, a big, fat fellow, raised his shoulders up with a graphic gesture, thumping his chest and laughing, saying that nobody could willingly argue about his own authority.

646 Among Rifians, then, names of tribal functionaries seem
554 literally and faithfully to interpret the idea of the function in-
829 volved, as amghar and amqqran both convey the idea of "big, adult,
[671] old". This is reflected in the qanuns when, in reference to those
attending a meeting, prior to inscribing a list of the names of the
notables present, those who drew up the qanun in question were very

646 careful to state that all those at the convocation were the "majors"
554 and the "minors" (*los grandes y pequeños*)[102] of such and such a place.
829 [671] The written titles or nominations of functionaries, and the pompous Arabic names of *qa'id*, *qadi* and *mqaddim*, with which some men like to adorn their names in order to astonish simpletons and impress strangers are only of value *inside their own houses* (author's italics), just as the titles of *doctor* and *coronel* formerly were in certain South
554 American republics! In the Rif, there was, in pre-'Abd al-Krim days, no *qa'id* and no *qadi*[103]; only *imgharen* and *igrawn*, *iziddjifen*, *dharfiqin* and *turba*, the last-mentioned being warlike amanuenses whose fingers are better suited to hilt or trigger than to pen, while the other names are the most definite external indices of the degree
554 of Islamization[104] of those who possess them. We will not speak here
648 of such fantastic personages as the *bu-mwarith*[105] or the *ukil l-ghuyab* 106 and other shadowy figures recently created by the Spanish protectoral administration, who will probably soon disappear if not taken proper care of!

623 6) *Resume of Rifian Tribal Functionaries* (given even though
646 Rifians tend to confuse them among themselves!):

554
- a) the *iziddjifen*, "headmen", or representatives of each *dharfiqth*, constituting the permanent council of the *jma'th*.
- b) the *imqqranen*, "big ones" (or *imgharen*, pl. of *amghar*), the representatives *elected by the jma'th* (author's italics) for its own prestige, and the delegates of the latter territorial unit in the clan council, whose habitual meeting site was the market, and whose job it was to make the law.

646 c) the aith(th)arba'in, or "people of the forty"[107], delegates
554 representing the clan in the tribal council or agrau,
which convened when circumstances required it (danger
external to the clan or to the tribe, or murder). In
[619] theory, there were eight delegates from each khums (in
tribes, which, like Aith Aryaghar were divided into five
khmas), but they were given the same name even if they
totaled less than forty.[108]

554 d) the amghar n-suq, or "market chief"[109], a person who by
443 virtue of his position or energy took care, with his
[625] kinsmen, of policing the market, of small incidents which
might occur within it, etc.

[203] e) the abarrah, or market crier.[110]

554 f) the amarras, or silo guardian (in the Eastern Rif only).

463 G) Free Professions (fragmentary):

554 a) Low Class Public Functionaries: criers and weighers in
markets.

b) Free Professions: merchants, healers, weavers, carpenters
and masons.

c) Lowest Scale: musicians and dancers.[111]

535 d) Ibarudiyen: real imqqranen, possibly the most highly re-
463 garded ones in the tribe. Invited to feasts, they enacted
532 scenes of war. Generally, two of them faced each other and
554 improvised dialogue, while firing off their rifles[112].
[182] These ibarudiyen were the Rifian counterpart of dramatic
actors; and even in this simple detail of lack of

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

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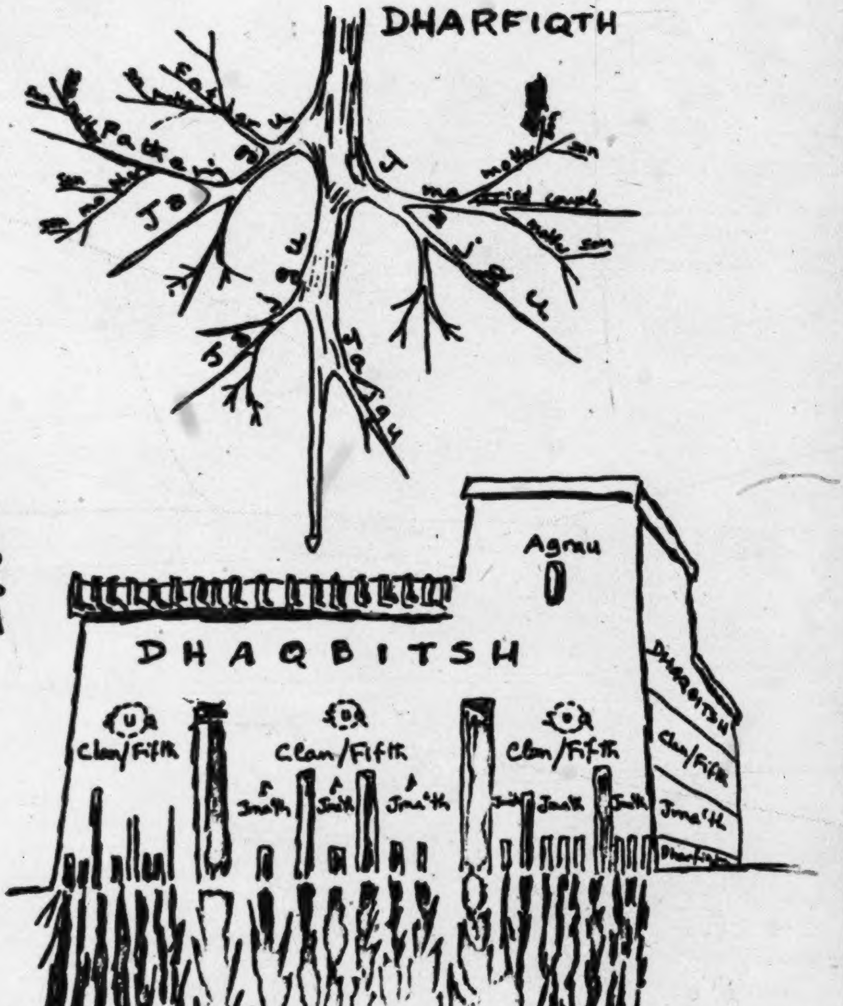
DHARFIQTH
Father
Father
son
son
son
married couple
mother
son
mother
son
DHAQBITSH
Agrau
Clan/Fifth
Clan/Fifth
Clan/Fifth
Jma'th
Jma'th
Jma'th
Jma'th
Jma'th
Jma'th
Jma'th
DHAQBITSH
Clan/Fifth
Jma'th
Dharfiqth

[P. 127-A]

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

594
596
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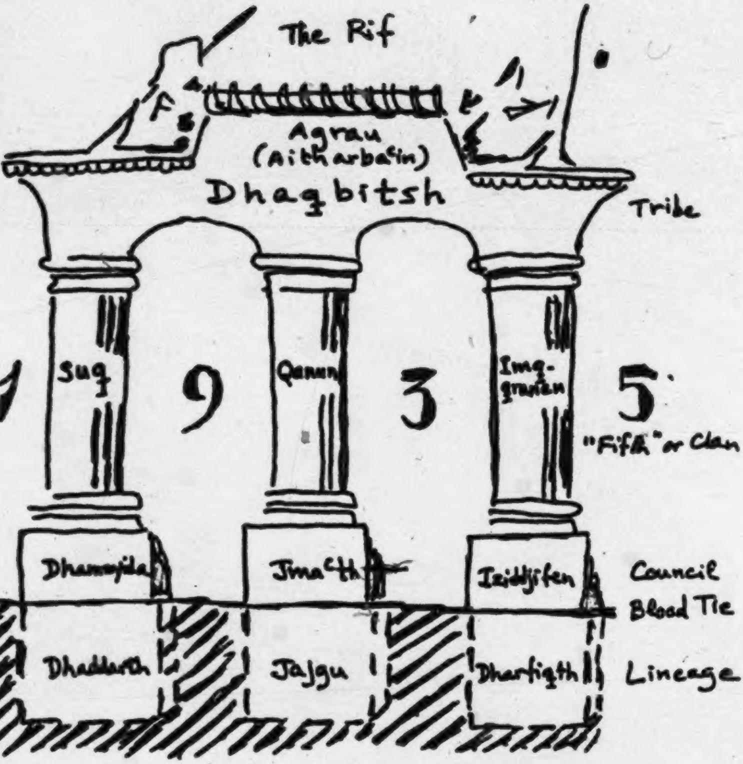
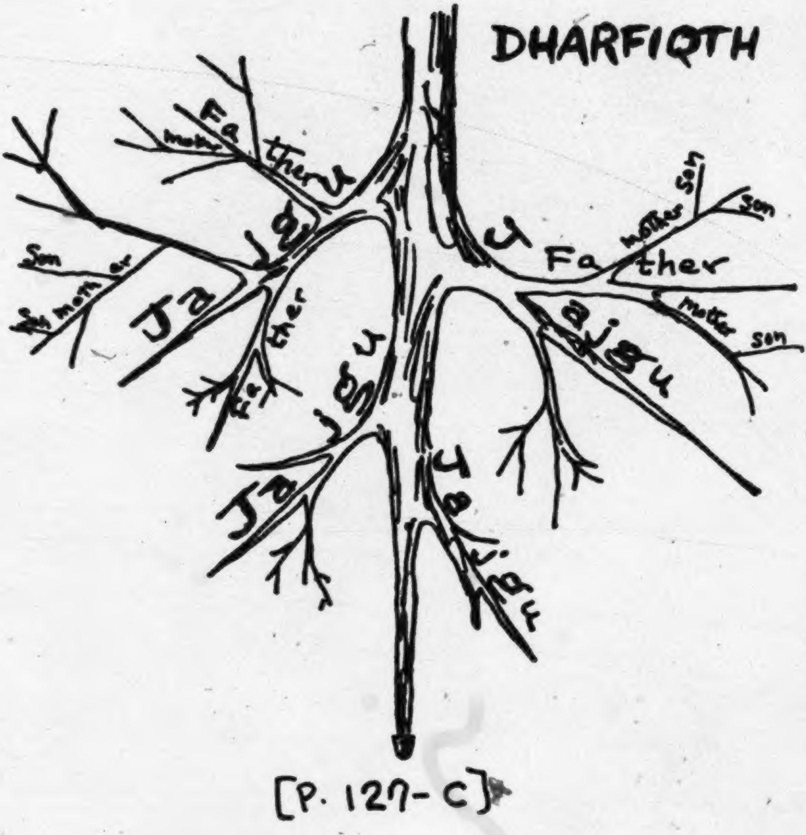

The Rif
F
Agrau
(Aitharbaᶜin)
Dhaq̣bitsh
Tribe
1
Suq̣
9
Qanun
3
Imq-
qranen
5
"Fifth" or Clan
Dhamzjida
Jmaᶜth
Izidjifen
Council
Blood Tie
Dhaddarth
Jajgu
Dharfiqth
Lineage

Diagram of Rifian Social Structure

[P. 127-B]


DHARFIQTH
Father
mother
Jajgu
Son
mother
Ja
Father
Fa
Jajgu
Jajgu
Jajgu
Father
mother
Son
Son
Jajgu
mother
Son

[P. 127-C]

535
536 organization, as in the settlement morphology and house
463 distribution of their communities, we may discern the
554 state of disintegration which the Rifian "republics" had
182 attained, the individual rapaciousness of each one and
the anarchy of its component parts.

Diagram of Rifian Social Structure[113]

613
594 We see in this graphic representation of the principal units in
596 Rifian social structure how these units are originated in the lineages
182 (Sp. original, grupos familiares) whose three ascending categories of
nuclear family (Sp. or hogar, R. nubth), lineage branch (jajgu) and
lineage proper (dharfiqth), with genealogical relationship as their
distinguishing characteristic, form the roots or base of the Rifian
619 arch, as diagrammed here. On reaching ground level (in an upward
646 direction), they become transformed into three other (larger) social
182 units whose distinctive features are expressed above and the apex of
which is the tribe (dhaqbitsh), which is bound together with its
autonomous institutional parts by the institutional apex of the agrau,
or tribal council, the maximal assembly in the region. This arch gives
614 us an idea of the (relative) independence (autonomy?) of its columns,
623
621 representing clans sustained by the nuclei of jma'ths; and all this
182 gives us also an idea of the whole and of the harmony reigning between
this whole and its different parts, of its consistency, of its
solidity, and of the importance of all these factors.

FOOTNOTE: A

613 113--A few comments must first be made on Blanco's notation of this
614 diagram. Starting below ground level, we have, from left to right,
619 *dhaddarth* (Blanco's spelling *taddartz*), "house"; *jajgu* (Blanco's
spelling *yasgo*), "lineage branch"; and *dharfiqth* (Blanco's spelling
621 *tarfik*), "lineage"; and further to the right, the commentary "family
623 group" (*grupo familiar*). At or just below ground level, slightly
594 above, we see the commentary, to the right and above "family group",
"line of blood" (*linea de sangre*). At ground level, from left to
596 right, we have *dhamzyida* (Blanco's spelling *tamesguida*), "mosque";
114 *jma'th* (Blanco's spelling *yemaa*); and *iziddjifen* (Blanco's spelling
islifen), "lineage headmen"; and, further to the right, the commentary "council" (*consejo*). Further up, each of the three columns proper is labeled, from left to right, *suq* (Blanco's spelling *sok*), "market"; *qanun* (Blanco's spelling *kanon*), "custom", and *imqqranen* (Blanco's spelling *imkranen*), "council members (of the clan)"; and further to the right is the commentary "clan" (*fraction*). The apex is the *dhaqbitsh* (Blanco's spelling *taqbilt*), or "tribe", with a commentary by Blanco to the right: "tribe" (*tribu*); above this, in brackets, is *Aitharba'in* "tribal council" (Blanco's spelling *ait arbain*); above this, *agrau* (Blanco's spelling *agrao*), "council meeting site"; and above all, is The Rif (*El Rif*).

I find this diagram, with its ever upward and onward orientation, very neat as a conceptual plaything...In its theoretical and abstract niceties, it appears almost more the work of a Frenchman than that of a Spaniard. Could this possibly be attributed to Montagne's undeniable influence on Blanco's thinking? However, I seriously question the diagram on the grounds of to what extent it really reflects structural realities (insofar as a structural model of *any* society created by an anthropologist can be said to approximate the social realities of that society) of Rifian society; and also on the grounds that territorial vs. segmentary features of Rifian social structure, and the roles that these features play within that structure, are neither defined *vis-a-vis* each other nor in relation to the whole. The whole structure as Blanco gives it is, in fact, too neat, too simple, and too classic (or perhaps Doric?), like the Greek (and most unRifian) arch upon which he models it.

A,[See diagram on p.127-B--Analyst]

621 631 [619] H) The Traditional Jma'ths of the Aith Waryaghar:

In the tribe of the Aith Waryaghar, which possesses an extremely complex social structure[114].....the traditional jma'th contains nuclei so scattered that it is not rare to see them within all three qa'idates into which, at the present day (1935) and from an administrative viewpoint, the tribe is divided. [648] Within the Arab and Makhzin, or governmental, framework into which an attempt has been made to fit the organization of the Rifian tribes, this fact presupposes an almost insuperable administrative impossibility, [643] that of making them (i.e. the traditional jma'ths) revive. The mosaic of the traditional jma'ths was one over which the chief himself (e.g. 'Abd al-Krim) stumbled, and which he put aside instead of resolving, merely superimposing his own circumstantial wartime organization over it[115].

Let us look at a few of the pieces in this mosaic.

621 631 131 1) Aith Mhand u Yihya:--A jma'th (of the clan of the Aith Yusif w-'Ari) which is found to be divided into two more jma'ths: one situated in the Plain of Alhucemas, and in the vicinity of the bridge over the Ghis River, and, for this reason, belonging to the Qa'idate of l-Uta (in Rifian, r-Udha, "plain"); and the other, the original, ancestral and founding one, situated south of the Suq r-Had or Sunday Market of Thisar[116], and belonging, administratively, to the Qa'idate of the Upper Ghis.

2) Ixatshumen (mountain pronunciation) or Ikttumen (Plain of Alhucemas pronunciation, and written in Arabic as Ikiltumen):--This traditional jma'th (also of the Aith Yusif w-'Ari clan) is also

621 631 131 divided into two others of the same name, to which is added the geographical denomination of "mountain" or "plain", according to the location of each. Each one of these two divisions, like those of the Aith Mhand u Yihya, belongs to two different qa'idates: the mountain group, which is south of the women's market called Suq r-Had n-Timgharin (Sunday Women's Market")[117] at Iswiqen, to the Qa'idate of Nkur; and the plains group, in the vicinity of Imzuren, to the Qa'idate of l-Uta. The originating group is the mountain one.

3) Isrihan:--This jma'th (again of the Aith Yusif w-'Ari), again, is divided into two others: the mountain part, in the folds of the Jbil Hamam[117a], belongs to the Qa'idate of Nkur, and the lowland part, in the Buham Plain and known as Isrihan n Buham, belongs to the Qa'idate of l-Uta[118].

4) Bu Minqadh:--This jma'th (of the clan of the Aith 'Ari) presents a further complication, that of a three-fold division: the founding and original section, in Sidi 'Abd Allah u Yusif, near the women's market at Iswiqen, is in the Qa'idate of Nkur; while of its two offshoots, both in the Qa'idate of l-Uta, one if near Thamasind and the other is found down in the plain near Imzuren. There is thus a Mountain Bu Minqadh, a Foothills Bu Minqadh, and a Plains Bu Minqadh.

5) Aith 'Aziz:--There are today two jma'ths (of the clan of the Imrabdhen) of this name, one in Thamasind and the other in Imzuren; and although both are located within the Qa'idate of l-Uta, this fact is purely coincidental.

621 6) Thamasind:--There are two jma'ths of this name: one is called Thamasind n Dara (Upper Thamasind), and the other, Thamasind n

Waddai (Lower Thamasind). These two have been spatially separated for a long time, although they both happen to be located in the Qa'idate of l-Uta[119].

Aside from these examples given above, we then have those jma'ths which, after their descent to the plain, lose their original names, such, for instance, as Ajdir, and acquire those of new geographical locations or founders without, however, losing their ties with the parent jma'th until these become relaxed with the passing of time or until new needs cause them to become independent, as we find them today, if in the inversion of roles the newly formed nucleus is not imposing itself on the original one, thus becoming converted into a tributary group. We have just seen that among the Aith Waryaghar there are traditional jma'ths which are found to be split, the displaced groups often occupying sites very distant from the original ones; and the fact that this displacement occurred long, long ago led them to become independent of the originating jma'th, and to constitute new jma'ths on their own or even to graft themselves onto the neighboring jma'ths when their importance or convenience so dictated.

By the same token, also, there are jma'ths which are not of the same origin and which may form the initial fusion of perhaps as many as twenty different kin groups and stranger accretions of the most diverse origins[120]. An example of this may be found in Swani, in which the lower part of the jma'th is made up of descendants of Sidi Mhand of Aith Hishim, of the clan of Imrabdhen, who are shurfa, and of the original founders, the people of Thafrasth, of the subclan

621 of Imhauren, of the clan of Aith 'Ari; while the upper part is made up of heterogeneous elements of different tribes. This will eventually happen in Ajdir, where a considerable number of Rifian workers are settling owing to its proximity to the town of Alhucemas. Ajdir has not succeeded in assimilating these people who, installed around and behind the fork in the (Tetuan-Melilla) main road, already form a special quarter which is beginning to be distinguished by the name of Kharras, or "stranger"[121], a disagreeable appellation for them and one which causes them to defend intuitively their jma'ths of origin. A future modification of the jurisdiction of this quarter cannot thus be considered as injurious to the constitution of the jma'th.

We thus see that the traditional jma'th in this tribe, in accordance with the data in our possession at the moment regarding this problem, may or may not have a familial origin (sic)[122], as an analogous examination of the Qa'idate of Nkur also seems to demonstrate.

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614 If we limit ourselves, in this qa'idate, to the clan of Aith Bu 'Ayyash, one of those which from time immemorial seems to have kept its jma'ths most intact, we see that the only one to which a common origin or ancestor is attributed is that of Aith Ta'a. But if, [613] for example, we examine Isufiyen in this light, we find that of its five dharfiqin or patri lineages, three (I'adwiyen, Ihaqqunen and Imdihiriyen) are from the tribe of Ibdharsen (Mtalsa) in the Eastern Rif, and have the same ancestor, while of the two remaining ones, one (Aith Ta'rafth) is from the tribe of Aith Yittuft[123]. Thus, through the elimination of four out of the five kin groups in question, the only one which is left, Aith Musa w 'Amar[124], is the only possible

621 614 candidate for earliest occupancy and for the foundation of the jma'th. As it happens, this is the case here.

621 613 Passing now to the jma'th of Aith Bukhrif, we see, analogously, that while the founding or ancestral dharfiqth, Aith Wuzghar, that of the present (1935) Qa'id of Nkur, Haddu n Muh Amzzyan, is considered to be descended from the "Aith Ya'ra" or Bni Marin, the former inhabitants of the City of Nkur[125], the other dharfiqin making up the jma'th do so without any apparent relationship to each other. [614] [619] The kin group whose ancestor arrived first was an Imrabdhen lineage from Ibdharsen, formed by the Aith Siddiq, Aith Tumritsh and Aith Tizza; this was followed by Aith Yunis, from the clan of Asht Yunis in the tribe of Igzinnayen; and finally, by the I'addiyen from the tribe of Axt Tuzin, the most recent of all.

If we turn now to the jma'th of Tazurakhth, we see the same thing, but with an increase in complexity, for the dharfiqth which is 621 613 614 619 considered to be the founding one is that of Aith Bukhudam[126]. This group later received the following additional increments: a dharfiqth named Aith Ufaran from the subclan of Aith Turirth to the south; a second, much larger dharfiqth from the jma'th of Igar Ufadhis (local pronunciation Iyar Ufadhis) in the clan of Aith Bu Idhir of the tribe of Thimsaman, named Aith r-Qman (comprising today the four dharfiqin of Aith 'Aru Hammu, Yinn[127] 'Abdssram Bu 'Azza, Yinn 'Abd Allah u Hmidh and Ibaranen[128]); a third, Aith Tizi Marda, came from the clan of Amjau in the East Rifian tribe of Aith S'aid; a fourth, Ihamdiwen, from the jma'th of Asht Tghirasth[129] in the clan of Asht Yunis in the tribe of Igzinnayen; a fifth, from Aith 'Aisa in the tribe of Aith S'aid[130];

621 a sixth, a large one named *Aith 'Aisa*, from the *jma'th* of *Aith 'Ammar*
613 *u S'aid* in the subclan of Iraqraqen in the clan of Aith Hadhifa (com-
614 619 prising today the two *dharfiqin* of Aith 'Aisa--sometimes referred to
as Aith 'Aisa w Anu, or "the sons of 'Aisa of the well"--and Aith
Injin); a seventh, Aith Si Hmand 'Aisa, from the clan of Aith 'Abd
Allah; and an eighth, and last, Aith Tihar, from the *jma'th* of *Tfsast*
in the subclan of Timarzga to the South.

621 The net result of all the foregoing is that even such a multiplicity of examples will not clarify the question for us, considering that, in Aith Waryaghar, there are traditional *jma'ths* which have been split since antiquity, and split in such a way that to bring them together again now would create a tremendous political as well as administrative difficulty[131]. This would, indeed, be next to impossible, due to the difficulties of all kinds already felt by the Rifians prior to the Spanish occupation, difficulties which brought them to the transcendental act of separation. This fact on the one hand, and, on the other, the fact that the traditional *jma'th* in Aith Waryaghar does not seem to present an ancestry which is common to all its constituent groups or a type of "family origin" (i.e. common ancestorship) in the form or for the ends which interest the order of the Spanish regional administration. Under these conditions, it seems the best thing in this tribe, if our knowledge should not lead us to other conclusions, to continue the sedimentation initiated some time ago, avoiding modifications which do not justify an imperious necessity or a convenience manifest to all lights, something which even the author was unable to avert, and to discount, for this reason, any......or superficially learned innovatory zeal.[132]

621 These *jma'ths*, the internal lives of which were regulated by
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[680] the custom governing the original mountain *jma'th*, continued as
[794] tributaries of the latter[133], enjoying the benefits of such a status
(participation in the collection of fines, contributions to the *fqih*)[134]
until, as we have seen, the new nucleus, beginning to stand out more
and more as a result of its growth, importance and distance from the
parent *jma'th*, succeeded in emancipating itself from the latter
through its own discords and ambitions.[135]

621 But it is difficult to determine at precisely what moment the
new *jma'th* came of age, as it is to determining everything else, even
including finding out the designations in nomenclature of its
621 representatives. This designation is not that of *amin*, as among the Kabyles
192 of Algeria, a word which, taken over from Arabic, is one which does
not permit a confusion of its administrative significance, an individual
function, with that of the *jma'th*, which has a collective *mqaddim*,
a term also adopted from Arabic and employed by certain Berber groups
in the Western Atlas, for the personage of the *mqaddim* also has that
function as well as the inadmission of that of the *shaikh*, which more
than one person in Aith Waryaghar attributes to himself and which
621 figures even in documents. These terms, however, do not demonstrate
any more than the anarchy which the people have attained, and the
forgetting of their own racial (*sic!*) characteristics[136]; as such
words among Rifians can have no meaning nor can they be given any
importance greater than those of "colonel" and "doctor" in the South
[646] American republics. These are strange nicknames (*sic*), for to the
[182] Rifian, as to any Berber, they say nothing if they are to be considered

621 646 182 typical terms, like that of *amghar*, since the institution of the *Aitharba'in*, formerly an authentic democratic power, seems to have depreciated and is now dormant.

621 The traditional Rifian *jma'th* according to my way of thinking and to the results of my own investigations, is not limited to an administrative unit, but was rather the essential administrative, gubernatorial and judicial organ. [114] The *jma'th* was the sovereign, such a wide concept, such an interesting collective entity and so little known to me that if I tried to define it precisely, now, at the present state of my knowledge, I would imagine the results to be erroneous.

131 631 Regarding the geographical regions considered in the order listed above, the Aith Waryaghar are reduced to three, which correspond approximately to the three qa'idates into which the tribe is divided: the region of the plan or the Qa'idate of l-Uta; the valley of the Upper Nkur River, or Qa'idate of the Nkur; and the valley of the Upper Ghis River, or Qa'idate of the Ghis[137]. Any other administrative division which might be made would not correspond with the same precision to the topography of Aith Waryaghar, for, in its geographical synthesis, this tribe is nothing more than the Ghis-Nkur watershed. 614 631 If a greater fractionizing does not seem necessary from a geographical viewpoint, in order to maintain the subdivision of the tribe in its six present clans, five of them of ancient lineage and the sixth, that of the Jbil, imposed by necessity[138], with a *shaikh* at the head of each one because of the large territorial area which it covers, larger in some cases than that of other whole tribes, it is

614 631 certainly justified from a political and even from an ethnographic standpoint. On the other hand, perhaps a greater simplification of the chain of command, brought by suppressing the *khalifas* of the *qa'ids*, a useless, retardatory and troublesome rung in the ladder, might be possible[139]; for the position of *shaikh* already exists, and in the absence of or in case of delegation of authority by the *qa'ids*.. ....the *shiyukh* can and do exercise the powers of the *qa'id* with all satisfaction, as has been observed in all cases and from all that has been told to me.

A chain of command without such useless steps would be restricted to *qa'id* and *mqaddimin*; but, nevertheless, the wide territorial extension which each of the clans of Aith Waryaghar has advises the retention of *shaikh*ates in the manner expressed above; and the dispersion of the *jma'th*s advises in many cases the retention of the *jwari* (sing. *jari*)[140].

631 621 But these simplifications which are proposed in the framework of authority in the tribe must be followed up with a stronger personality in the *mqaddim* which would make these jobs remmerative as well as having them, at the same time, fall on the shoulders of persons of true significance in the *jma'th*, so that the latter must listen to them, accepting procedures put forth by them and avoiding any chances that friendship, adhersion or mere servitude to the *qa'id* might annul this office, the one which is, in my opinion, the most important in a Berber tribe. It is certainly not advisable to try to accomplish this in one stroke; this patient revision of *mqaddimin* must be done without hurry on a *jma'th*-by-*jma'th* basis, if we wish to make a perfect

631 augmentation to the "building" or "house" of Rifian society (of which
621 the traditional *jma'th* is the "cornerstone").[141]

631 Aith Waryaghar, then, could be organized in the following way:

619 I) QA'IDATE OF L-UTA: Shaikhate of *Aith Yusif w 'Ari* --12 *jma'ths*
621 Shaikhate of *Imrabdhen* --15 *jma'ths*

II) QA'IDATE OF NKUR: Shaikhate of *Bni Bu 'Ayyash* --16 *jma'ths*
Shaikhate of *l-Jbil* --16 *jma'ths*

III) QA'IDATE OF UPPER GHIS: Shaikhate of *Bni Hadifa* --12 *jma'ths*
Shaikhate of *Bni 'Abd Allah* --16 *jma'ths*

Total----87 *jma'ths*

000 If this organization is applied to the other tribes[142], the patron must be remembered in salary gradation, so that salaries do not turn out to be prejudiced as the Aith Waryaghar have been, up to now, both in salary and category of their office-holders and tribal authorities.

Ajdir, August 27, 1935.

I) *Notes on the Igzinnayen*:

101 1) *Etymology and Language*:--The word *Gzinnaya* (Rifian *Igzinnayen*) is derived from Berber *gizna*, meaning "libertine"[143]. The
191 tribesmen of Igzinnayen are bilingual, although even so, Rifian speech has a far greater predominance over Arabic. Their men of letters
[212] (*fqihs*, etc.), although they know how to read and write Arabic, express themselves very poorly in that language, and their grammatical construction tends to be bad. Knowledge of French is extremely slight,

191 if not non-existent[144]......In some of the tribal place names the in-
[101] flux of both Arabic and Berber may be noticeably discerned[145], which
in some cases gives rise to a true amalgamation which its (i.e. the
name's) Arab or Berber origin does not define with any certainty[146].

186 2) *Origins*:--The Igzinnayen are proud of their Berber origin
and consider themselves to be of a superior race. The Rifian from
Igzinnayen holds his Arab neighbor from the tribe of Branis in no
little contempt[147]......In the tribe of Igzinnayen, one may observe
619 144 184 two nuclei of population which show great ethnic differences, one
situated north of Tizi Usli, between Azru Aqshar[148] and Axt Tuzin,
in which there predominates, as much in physical type as in language
and customs, the features characteristic of the Berber origin of this
tribe; and the other nucleus, located to the southeast of the first,
is of Arab origin[149]. The scorn which the Berbers felt for their
648 [186] Arab neighbors, combined with the fact that the latter recognized and
obeyed the government of the Makhzin[150], gave rise to frequent feuds
between the people of each region; and in these tribal wars, the
"Berber" group was almost always victorious. During their *liff* strug-
619 648 gles, both the warring bands sought aid from among their next-door
neighbors; for while the "berber" band received help from the Axt Tuzin,
the "Arab" band was able to count upon the support of the Mtalsa
(Rifian *Ibdharsen*) and Branis[151].

114 619 Up to the present time, it has not been possible to unravel
the ethnic origins of the Igzinnayen, which are highly confused[152].
Moulieras, who was never in Morocco, considers them Berbers for the
simple reason that they speak Rifian *dhamazighth*, an essentially

114 unfounded argument which is insufficient for making up any definitive
619 listing, for it excludes other criteria. The famous historian from
Sevilla (read "Tunis"), Ibn Khaldun, who also never visited Morocco,
places them among the descendants of the Sinhajat al-Litham, or
"Veiled Sinhaja", who emigrated over all North Africa after having
619 left their original home in southern Algeria. My own humble opinion
is that in the Igzinnayen we are confronted with a tribe of purely
Berber origin, around which many diversified elements came to establish themselves.

142 The Arab, in general, is a man of deliberate movements, thin,
157 long-faced and giving the impression that a certain spiritual elegance
emanates from him; the Berber, in general, is much more brusque and
abrupt, with a short neck and a round face, and, in speaking, he
gesticulates in such a way as to give the impression that he is talking with his eyes rather than with his mouth. Whether Arab, Arabo-
619 Berber or pure Berber, the origins of the Igzinnayen are very
obscure.[153]

The founders of the tribe originated from the Ulad Akthir (unidentifiable), who, in Tamjund and Buridh (of the Asht 'Asim clan) gave rise to the Asht Bu Zkri (or Izkrithen), Ibaqriyen and Iharrasen; in Azru (of the Asht Yunis), to the Farzugu (unidentifiable), Asht Ishaq and Asht 'Aisa (unidentifiable); in Aqwir (of the Imzdwar), to the Asht Tirmamin and the Asht Tighda 'Ali.

The Jbarna (of the Asht r-Udha clan) have their origin in Imzdurar; they reached their present territory at a time which is impossible to determine. A large number of their families own land

619 A large number of their families own land
[423] in the region immediately north of Jbil 'Ain 'Uqqa. They are bi-
[191] lingual, but they prefer to speak Rifian, which they learn as children.

The l-'Atamma (of the Asht r-Udha) say that they are descended from the Hawwara, which does not seem probable, considering that they all show "Berber" characteristics and that the Hawwara were "Arabs".

The Dharwa Haddu consider themselves to be descended from the Ulad 'Assu bin 'Abd Allah (Rifian Asht 'Assu 'Abd Allah) and from the Eastern Rifian tribe of Aith Bu Yihyi[154].....The ancestors of Hamza bin 'Abd Allah are buried in the latter area, near the Angad.

A large number of Igzinnayen, some 1500 families, mostly from
[166] Asht 'Asim, left their own land to move to l-Mta, just north of Fez.
Various reasons have been given for this, the most probable being
that of poverty[155].

The Asht r-Udha, Ishawiyen, Bu Isri and Izimmuren (of the Asht r-Udha) are descendants of Abu 'Amama, whose grandfather Talib ibn Isma'il ibn Hamza ibn 'Abd Allah of Rashida was appointed basha of Igzinnayen by the Sultan 'Abd Allah Hamrini Tamrin in the 7th century A.H. On the other hand, there is still a group of Asht Hamza in the area around Aknul.

The Asht Mhand (or Bni Mhammad), in the earliest times of which
the Arab chroniclers have any record, resided in the Jbil Sidi S'aid,
in the area at present occupied by the shurfa of Aith Sidi S'aid in
[578] Mtalsa. Due to a dispute which rose up among them, they became divided.
[166] Some went to the Bni Bu Ya'la in the Branis and the rest formed the
Asht Mhand of the Igzinnayen, where they are today.

The Azru Ishillahan (of Asht Uzru of the Asht Yunis clan) are of "foreign", or Andalusian origin; they came to Igzinnayen when the Muslims were expelled from Spain in 1492. Although I am dubious about this assertion, certain members of this group are considered today as "Andalusians".[156]

The people of Ihadhriyen (of the Asht Yunis) are from Jbarna[157]; those of Tghirasth (of the Asht Yunis)[158] are the descendants of Sidi Ya'qub al-Badisi, who is buried in Badis, in Bni Bu Frah.

The ancestor of the Asht r-'Arqub (of the Asht Yunis) was Sidi 'Azzuz, buried in Taza,[159] and father of Sidi al-Hajj 'Ali, who died in Zaghwan (Tripolitania), on returning from the pilgrimage to Mecca. His tomb is also in Zaghwan.

The Ikhabbaben (of the Asht Yunis) from Bni Khalid in the Branis[160], came to the Igzinnayen as a result of feuds in their homeland, as did the Asht Hazim, from the Aith Iznasan tribe in the province of Oujda[161].

The Ikhuwanan (of the Asht 'Asim) are descended from Sidi 'Abd Allah al'Khulali al-Wazzani, who is buried in Tamadda, in the Sanhaja Srir.

The Asht Marar, Asht 'Ari, Tasharbant, Asht Saghur and Asht Thiyuririn (of the Imzdurar clan), descendants of Sidi 'Athman of 'Ain Zura (Mtalsa), came gradually to install themselves in Igzinnayen, probably pushed on by poverty.[162]

The Iharshriyen and Asht Tighambuyin (of the Imzdurar), descendants of Muly Idris, came under the direction of their ancestor Sidi Hmid, whose tomb is located in Thighambuyin.

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614 The ("holy" clan of the) Asht 'Aru 'Aisa are descended from Sidi Musa bin Mshish[163], the brother of one of the "poles" of Western Islam, Sidi 'Abd al-Salam bin Mshish, who is buried in the Jbil 'Alam, in the Bni 'Arus of the Jbala. Sidi Musa is buried among the Khmid(?) (unidentifiable).

The principal idea to be extracted from the foregoing is the following: around a principal nucleus consisting of Asht 'Asim, Imzdurar and Asht Marar[164], clans which are known to and recognized by all the Igzinnayen, there came over the course of time an infinite number of lineages originating from very diverse points of northern Morocco; and these lineages intermingled with the above. Their motives for so doing varied between hunger and war. They were brought to the Rif either because there was no room for them elsewhere or because the possibilities of living well there attracted them.....It is probably necessary to look for their origins in regions which are particularly barren and unproductive, such as the Khuld of Huwwara or the northern part of the Angad Plain, in the case of elements from the Aith Bu Yihyi; the Tafrata for the Ahl Rashida, the clayey hills of Mtalsa, and, in general, all the places more or less bordering the Mulwiya River, which, even if they are by no means paradises, are at least hospitable (sic)[165].

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[993] 3) Qur'anic Instruction: --This is organized in exactly the same way as it is among the Rifian tribes in the Spanish Zone, and is largely beyond the control of the Administration....There is usually a school in each village, the fqih of which is paid annually and in kind by its inhabitants. Instruction is carried out almost

794 completely independently of the French authorities, and is done as a
871 rule in areas which generally lack the most elementary conditions of
hygiene and sanitation; and pedagogical procedures are very antiquated
and inefficacious, and are limited to instruction of the Qur'an....
[872] Almost all the schools are of "primary instruction", and those dedi-
[873] cated to "secondary instruction" are few and far between[166]. Some
[829] students cross the border to study in the Axt Tuzin, Aith Waryaghar
[876] and Thimsaman, not because the schools in those tribes are better,
but because the Rifians believe a youth studies better if he is away
from his family....The students, or imhadaren, eat the ma'ruf[167], and
their teachers generally are given honoraria in kind.

692 4) Judiciary Organization:--There is a qadi in Aknul who
serves all of the Igzinnayen, and he holds court every Tuesday, which
is market day in Aknul, and once a month in Tizi Usli (market day on
Mondays) and in Buridh (market day on Wednesdays)...

312 5) Water Points:--The area which is richest in springs is that
103 of Jibarna, in the Asht r-Udha, in which the following springs are to
be found: 'Ain Ta'amt, 'Ain bin Husain, 'Ain Khannus, 'Ain Bu Twilal,
'Ain Rahab, 'Ain Ulad bin 'Amar, and 'Ain Dar Qa'id Midbuh. In the
Asht Mhand, there are two large springs in 'Ain 'Allal; and in Asht
Marar, there are 'Ain Barda, 'Ain Fargugen, 'Ain Hmid, 'Ain Darduren,
'Ain Marja, and 'Ain Tassa[168].

619 6) Political Situation and Way of Life:--This tribe never
[631] formed part of any confederation, and in spite of the feuds to which
we have referred above, it has always maintained its geographical and
organizational unity. Today it may be said that there are no ostensible

Today it may be said that there are no ostensible
619 and important divisions among the different clans of the Igzinnayen....
614 The Igzinnayen are sedentary and inhabit fixed houses, which, as
361 among the Rifian tribes in the Spanish Zone, are located along the
edges of valleys, in fertile lands, and, in a word, wherever life
is easier. Nevertheless, there is, aside from the tribal hamlet-
619 villages, no agglomeration of importance....The tribe is divided
614 administratively into seven clans, each one headed by a shaikh except
for Asht 'Asim, which is divided into three shaikhates. One of the
[621] latter is made up of the communities of Buridh, Tamjund and Imhar-
[631] rushen, another by those of Ifran, Iaqrru'an and Iharrasen, and the
third by Inhanahan, Thara Tazzugwakhth and Iharshriyen[169]; all these
619 clans ("fractions") are headed by a qa'id. The tribe of Igzinnayen
presents a line of penetration between the tribes of the Rif and those
of the Eastern Gharb, as it has been utilized over a long period of
time as a path for incursions by the mountaineers into the plain.

619 7) Political Division:--Qaid (1940): Si Bu Tahar n Mqaddim
614 Saihi.

621 a) Clan ("fraction") of Jibarna: contains villages of Asht Hammu w 'Amar, I'athmanen (l-'Atamna), Dharwa Haddum Jibarna and Suyah. Shaikh (1940): Muhammed l-Mihdi Fars.

b) Clan ("fraction") of Ishawiyen (Shawiya): contains villages of Dharwa 'Abdallah, Dharwa n Tawunza, Bu Isri, Imrabdhen n Nawizaght[170], Aknul, Nadhur, Ihammuthen and Izimmuren. Shaikh (1940): Bushta nj-Qa'id Buhush.

c) Clan ("fraction") of Marar: contains villages of Thighzrathin, Tasharbant, Dharwa 'Ari, Zarhun, Fiddan l-Kbir, Thighambuyin,

619 Thirmamin, Ifillasen, Asht r-Ahsin u Musa, Afarzaz and Tiyuririn.
614 Shaikh (1940): Muhammad Bu Thuyis.
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d) Clan ("fraction") of Asht Mhand: contains villages of Asht Bujtuh, Asht Tayyar and Asht Ziyan. Shaikh (1940): Muhammad n Ka'was.

e) Clan ("fraction") of Asht Yunis: contains villages of Arru, Asht Hazim, Thaghirasth, Ihadhriyen, r-'Arqub and Ikhabbaben.

f) Clan ("fraction") of Asht 'Aru 'Aisa: contains villages of Dwaiyar, Tighza, Jbil Sidi 'Aisa, Waunkwarth and Thinimrar. Shaikh (1940): 'Abd r-Qadar n Muhand Aqudhadh.

g) Clan ("fraction") of Asht 'Asim: one part contains villages of Ifran, Iqarru'an and Iharrasen; another, those of Buridh, Tamjund and Iharrushen; and the third, Inhanahan, Iharshriyen and Thara Tazzugwakhth. The shaikhs of each (1940): 'Abdallah n Zimbib, Muh n Mis'aud and Si Muh n Biqqish.

175 8) History:--There are no precise dates on the history of the Igzinnayen until the occupation of the tribe by the Pretender Bu Hmara.
[628] It appears that prior to this time the tribe was consumed in intestinal
[616] struggles between lfuf, as all Berber and Arab tribes were. These were disputes without interest in which the fortune and existence of the protagonists and their people were at stake.

175 When Bu Hmara (Jilali Zarhuni) occupied the country of the
554 Igzinnayen, he came to the qasba at Msun (in the Asht r-Udha), and afterwards he met with the subclans of the Asht Haddu and I'athmanen[171]. Useless resistance on the part of the latter was severely punished, and their two chiefs, the Hajj Hammada and the Fqih 'Abbu, brought to heel,

175 554 unwillingly brought the rest of the tribe into Bu Hmara's camp.

Bu Hmara, leaving the tribal organization as he found it, limited himself to transforming the existing shiyukh into qa'ids. The names of some of these men have been preserved: Muhammad wuld 'Allal, Midbuh, Muhush Kahwi, Buhut r-'Asimi and 'Allal n Dahu. Divide in order to rule; such was Bu Hmara's idea, severe and brutal. Under his command the Igzinnayen came to swell up his contingents to fight in Axt Tuzin and Thimsaman; and they were finally put in check in front of Silwan.

After Bu Hmara was taken prisoner, brought to Fez and executed by Sultan Mulay Hafidh, in 1327 A.H. (1909 A.D.), he continued to weigh on the tribe, which did not want him....Then anarchy returned.[172] We now see the appearance of Sidi Hmid Midbuh, son and grandson of the Qa'id Midbuh, and also a qa'id himself, in the Jibarna. Faithful to the Rogi Bu Hmara, he defended himself against the Hajj Hammada, who, far from enjoying the favors of Bu Hmara, had been executive after what happened at Silwan. The two families, already divided, came to show an increase in the number of their partisans.

Evil instincts now had free rein. The agreeable life of pillage, theft and murder began anew, with its concomitant of the exclusive satisfaction of the strong. 'Abd al'Malik found the tribe in 175 648 554 this situation in 1333 (1915). He got the best group on his side, because of the fact that aside from the facilities of command which he was given, he received important subsidies from Germany; and he did not hesitate for a moment to utilize the ancient quarrels in order to make his authority more secure. At this point, French forces had begun to penetrate the Sharifian Empire.

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The French advance in eastern Morocco hardly attracted the attention of the Igzinnayen in the beginning. The infidel was still far away, and, as for the rest, "God would provide." On their arrival at Minada, the events embroidered upon by market story-tellers increased their curiosity. One of their notables, the Hajj Hammada, presented himself to the French authorities. On their arrival at Msun, the Qa'id Midbuh, the Hajj Hammada, his nephew Muhand u Haddu, and all the rest of the notables of the southern Igzinnayen all went to look for them. Nevertheless, the French advance was a direct threat, and the Igzinnayen began to turn up as members of the harkas which fought against them. Importance was attributed to the numbers of these harkas, insofar as they came near the French, even without a definite order of battle.

At this point, 'Abd al-Malik, coming from Tetuan, entered the scene; thrown out by the Ghiyata, he succeeded in enlisting the cause of the Igzinnayen, especially those of Asht Yunis through his good relations with Si Hmid Ubarshan[173] and with Shaikh Hmid n 'Amar. He was spoken of throughout the mountains thanks to his open-handed palm-greasing, and thanks also to his tireless activity. He convoked the Igzinnayen in successive igrawn, the first at the Monday Market of Azru[174] and the second, a little later, along the banks of the Msun River, about 2 km. from the present gates of Kifan. The Qa'id Midbuh was frightened at this move, and after hiding by night with some fifteen of his agnates, he gained the French lines, while the Hajj Hammada, definitely conquered, received large compensations.

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'Abd al-Malik, aided by his German collaborator Hermann, sought friendships through money, and spread his propaganda among the Dharwa Haddu through the Hajj Hammada and his son 'Abdssram. Dedicated to their desires, they swelled up the harkas and suffered heavy losses; but the Igzinnayen did not hesitate to abandon and betray 'Abd al-Malik on the day that fortune went against him. His favorite, the Hajj Biqqish, who had sung his praises louder than anyone else, was the very first to rob him when he came to seek refuge amonst the Asht 'Asim.

The Hajj Muhand Biqqish, a notable of Thiddas in Ikhuwanen of Asht 'Asim, takes up all the internal history of Igzinnayen before the French occupation and the domination of 'Abd al-Krim. Having risen to the top through his indisputable merits as a warchief, he extended his power over all of Igzinnayen and a part of the Aith Waryaghar[175]. In 1913 and 1914, we find him in the Jbil Shaushau (?) of Bu Nakris (?) at the head of a harka which fought the French in Msun, in Taza, and in bil-Qasim in the country of the Miknasa. In 1915 he put himself at the disposition of the Hajj Mamun ash-Shangiti.

An excellent administrator, and having on the other hand a constant care about his own person and a great deal of knowledge of tribal politics, the exercise of justice was a considerable source of income to him thanks to certain rights toward discounts which he claimed and pocketed, and other ways of assuaging his conscience; and he thus increased his resources very considerably. He got rich and acquired lands and fields. He inherited the family house from his father in Tighza (Ikhuwanen), and another in Thiddas, as well as land formerly belonging to the subclan of Thimarzga of Aith Waryaghar,

175 on the mountain of Afuzar. In the latter place he built a large house
648 with a huge wall around it, according to the locals; this house is
554 known as *Dhaddarth n Biqqish*[176]. With 'Amar Hamidu, the qa'id of
648 Marnisa, he helped 'Abd al-Malik against the French. When the French
554 routed 'Abd al-Malik at Kifan on 13 Safar 1336 A.H. (November 28, 1917), the latter took refuge in Biqqish's house. 'Amar Hamidu became hostile to Biqqish over the possession of the Wednesday Market at Buridh, but when 'Abd al-Malik appeared at Sidi 'Ari n Dawud[177], they patched up their differences in order to help him, until the day that he took refuge in Thafarsith. This friendship between the two chiefs of Marnisa and Igzinnayen lasted until the advent of 'Abd al-Krim. In 1921, Biqqish, advised by 'Amar Hamidu, refused to join the Rifians of 'Abd al-Krim in their struggle against Spain. In 1922, 'Abd al-Krim attacked him and, abandoned by more and more of his followers, Biqqish, vacillating, had almost decided to place himself under Spanish protection; but afterward he reconsidered and submitted to 'Abd al-Krim. His son Si Hmid then was given a *qa'id*ship.

By 1924 the importance of the younger Biqqish, Si Hmid, had notably decreased. Finally, in 1925, at the time of the all-out attack on the French front, the elder Biqqish and his son were detained by 'Abd al-Krim for questioning. After three months, in order to ascertain the feelings of the taciturn and mysterious Biqqish, 'Abd al-Krim sent him to the region of Branis to inspect the front and to keep inciting the war against the Christians.

Sick and irreductible, the old man set himself up in the Friday Market of Branis and did nothing. He was denounced and brought

648 back to Ajdir, 'Abd al-Krim's capital in the Aith Waryaghar lowlands.
554 'Abd al-Krim let him return to live with his family and gave his son Si Hmid his freedom; but, furious at the capture of the Muhkama of Brabir (---Branis?), he got rid of the old man permanently by giving him a glass of poisoned tea at the Wednesday Market of Aith Turirth (Aith Waryaghar).[178] Si Hmid was detained during the occupation of Marnisa by French Moroccan troops and then set free in January 1926. He lives today (1940) in the Igzinnayen[179], and has a sister, Mimuna, married to the former qa'id and present (1940) khalifa of Arba' n Turirth, Muh n 'Amar nj-Mqaddim; and this woman, probably because of the spirit she inherited from her father, is the real ruler of the household.[180]

It should be stated that the irreducible enemy of the Biqqish family, the Qa'id Finnish of Iharrasen, died in combat on May 11, 1926, against the French in Izkrithen (in the Asht 'Asim) near Ikhuwanen; he had been a principal cause of the persecution and death of the Hajj Muhand Biqqish, through his influence with 'Abd al-Krim.

FOOTNOTES:

101 671 114 1--This interpretation of a major sociological conceptualization of Moroccan political history, the dissident Berber tribal area, the area of customary law, as opposed to the Arab area under government control where Muslim law was administered, conforms in all respects to the views of the majority of French observers, who label siba as "anarchy" (which, indeed, it literally means: "anarchy, abandon") and who often overlook the fact that the rural areas of the Blad al-Makhzin were also organized on a tribal basis.

101 671 114 113 648 A later definition by Carleton Coon holds that the Blad al-Makhzin, the land over which the power of the Moroccan Sultans extended, was a "land of order", while the Blad as-Siba, whose inhabitants recognized the Sultan's authority spiritually while denying it temporally, was a "land of insolence" (cf. Carleton S; Coon, Caravan: The Story of the Middle East, New York: Henry Holt, 1951, pp. 295-323). This definition, though linguistically inexact, attains a higher degree of sociological sophistication than the preceding one because of and despite the fact that it pushes the analogy a step further.

More recently, Ernest Gellner has defined siba as "institutionalized dissidence" and "marginal or dissident tribalism" (Saints of the Atlas, London: Weidenfeld and Nicholson, 1969, pp. 2-5), and in a review article of two books by Moroccans who seek to interpret various aspects of their country's history ("The Struggle for Morocco's Past", The Middle East Journal, XV, 1, 1961, pp. 79-90, a review of Abdelaziz Benabdallah, Les Grands Courants de la Civilisation du Maghreb, Rabat 1958, and Mohammed Lahbabi, Le Governement Marocain à l'Aube du XXe Siècle, Rabat 1958), he contrasts the traditional French view of the makhzin-siba dichotomy and a radically reinterpreted view advanced by Lahbabi in which "the same (Gellner's italics) facts, the existence of dissident areas, which were used by the French to illustrate the failure and impotence of Moroccan government are used...to provide the basis for a Consent (hence Anti-Absolutist) Theory of the Moroccan historic constitution." Thus the tribes on the shadowy borderland between the makhzin and siba spheres of influence were presented with a sort of Social Contract situation.

101 196 668 It must be noted that in the Rif the condition known elsewhere as siba was termed Ripublik, and that this not only has nothing to do with 'Abd al-Krim's "Rifian Republican State" (Dawla Jumhuriya Rifiya), but also predates it in time. A primary aim of the 'Rifian Republic", indeed, was to do away with the Ripublik.

181 104 2--Blanco does not define any of these terms at this point; he only does so later, in his MSS. chapter on Family Organization. All of them are loaded, as he hints, with institutional implications, and we propose to give here only thumbnail definitions for the reader's convenience. Twiza (Rifian dhiwiza) is perhaps best translated as "corvée", a group work project, generally organized for one day only, such as reparation of an irrigation ditch by those who use it, or voluntary assistance given by his neighbors to a man building a house, or, indeed, obligatory work of a communal nature (such as road repair) undertaken on behalf of the tribal notables or the government; this last, however, is usually termed rkwarfi (an Arabization and Rifianiza-

181 104 tion of French corvee), which underscores its mandatory character. Wuzi'a, in Arabic, refers to distribution on a prorata basis; but its Rifian derivative, r-uzi'ath, refers only to the dividing up of the meat of a ritually edible and ritually slaughtered animal, which has just died, and those who share in the division are expected to pay the owner of the animal back at a later date. Dhwara, a purely Rifian word which Blanco mistakenly gives as twala, thinking it, no doubt, an Arabic derivative, is synonymous with Arabic nuba and its Rifian derivative nubth, means "turn" in its widest sense: use of irrigation water in turn by each user; taking of barley to the fiqh or schoolmaster in the local mosque by each nuclear family within the scattered hamlet type of community, so much the Rifian norm in settlement morphology, in turn, etc. etc. (cf. Blanco's own very interesting and elucidating remarks on the Rifian conceptualization of turns in the chapter on Family Organization). And liff is a crucially important intra- or inter-tribal pattern of alliances.

181 114 3--All words which are rendered in quotations are Blanco's, and in no case does he define what he means by them. It should be noted here that Blanco, as well as the great majority of tribal administrators in French Morocco at the time, was heavily influenced by the thinking of the late Robert Montagne, Les Berberes et le Makhzen dans le Sud du Maroc, Paris: Felix Alcan, 1930--to such an extent, in fact, that many of the "value judgments" which Blanco makes are indirectly those of Montagne. In all fairness to Blanco, however, it should be noted that he takes sharp exception to certain of Montagne's interpretations of Rifian political sociology; and these exceptions are for the most part fully justified.

648 671 668 4--Although the famous "Berber Dahir" of 1930 was enforced, of course, by the French up until the very end of their protectorate in Morocco in 1956, it never even had a chance in the Spanish Zone. This state of affairs was due not to any special decision-making on the part of the Spanish Protectorate administration (for much of the corps of tribal interventores was in favor of the dahir), but to the Rifian reformer 'Abd al-Krim, who had vigorously suppressed what he considered the most objectionable features of Customary Law in the Rif as early as 1921 or 1922. This was one of the ways, indeed, in which he was able to consolidate his position as leader of the Rifian war effort and as "President of the Rifian Republic", whereas, perhaps paradoxically, it is the pre-'Abd al-Krim era of "organized acephaly", of councillors and bloodfeuds, which is known, perhaps in retrospect as the 'Ripublik', and which is referred to elsewhere in Berber Morocco, and as a permanent condition, as siba. By the term "most objectionable features" we mean to say that he effectively stamped out any and all aspects of Rifian customary law (collective or plural oaths, in particular) which could in any outwardly discernible way be construed as being opposed to "bonafide" Muslim law. Thus, in short, what happened was at the end of the Rifian War in 1926, the Spaniards found that because of 'Abd al-Krim, orthodox Maliki law (for of the four Sunni, or "Orthodox", Islamic legal schools, it is the Maliki which predominates in North Africa) was already functioning in the Rif, even it overlay a solidly Berber jural base; and during their protectorate, though with some misgivings, they merely preserved 'Abd al-Krim's status quo in this respect.

000 al-Krim's status quo in this respect.

Emilio Blanco, however, often expresses strong reservations
671 about the efficacy of the Shari'a in the Rif, and--like the "Berber
114 sentimentalist" he often betrays himself to be--actually chides the
administration (but only in his unpublished work) for not reintroducing customary law to the Rif. Blanco's thoughts on this matter may have never reached the publication stage, but it is easy to see that he was deeply concerned about it. This is again, perhaps, a function of the (almost unconscious) influence of Montagne's Les Berbèreset le Makhzen upon his work and thought.

177 5--The umbrella (Rifian radhar) is the hallmark, rain or shine, of
67 any important personage, actual or self-styled, in the Rif. However,
779 why Blanco brought it into this particular context, we have no idea.

[554] 6--The divergence between "Islamic Law" and "Custom" in the Rif is,
[293] in an overall sense, less noticeable, certainly, than in other Berber-
[114] speaking areas of Morocco, especially the Middle and Central Atlas;
and, as aforementioned, we have 'Abd al-Krim to thank for the theoretically harmonious equilibrium and, indeed, blend, between the two.

That, in a general way, it is the Shari'a which is followed (more or less) in all matters pertaining to 1) land, 2) marriage, and 3) divorce, while the elusive "Custom" tends to dictate any cases which do not have to do with these conceptualizations, will soon become apparent.

181 7--For further "value judgments" on this question, see David M. Hart
113 and José R. Erola, "Rifian Morals", in Vergilius Ferm, Ed., Encyclopedia of Morals, New York; Philosophical Library, 1956, pp. 481-490.

000 8--i.e. by Western standards: another value judgment.

9--The dharfiqth, pl. dharfiqin, is, in the Rif, the patrilineal (and patrilocal) lineage par excellence, and although Blanco translates it as "grupo familiar", I shall refer to it as "lineage" henceforth, in both text and notes. Varying in both membership and depth, it may trace its 'apical" ancestor from, say, four up to as many as eight ascending generations removed from the speaker. Almost never, unless he is a sharif (in Rifian, amrabidh), or descendant of the Prophet Muhammad--whether de facto or de jure is in this case immaterial--and often not even then, can a Rifian trace his ancestry in a step-by-step progression beyond this particular apex, whatever its generational
[596] depth. The various lineage branches of the dharfiqth are also conceptualized as such by Rifians, and are called jajgu, pl. ijujga in Aith Waryaghar, and jij, pl. ijajjen in Igzinnayen and Aith 'Ammarth.

10--Jma'th (from Moroccan Arabic jma'a) is the term generally employed to refer to all the people in a given local community. The Rifians do not use it in the sense which it is given in Arabic (as well as that accorded it by the former Spanish administration), that of "council, assembly", a sense which is more restrictive. However, the triliteral
[193] root jm' in Arabic, meaning "to come together, congregate, collect, add up", is ultimately permissive of both notions, for from it is also derived the noun jum'a, "Friday", as well as jami', "mosque". One may

000 almost postulate a sequence more or less as follows: people (and particularly the most important ones, i.e. members of the council) gather in the mosque on Fridays. This, in Durkheimian terms, would make a neat example of the three-way continuum of time, space and society! The fact that the Rifian term for mosque is *dhamzidha* in no way negates this rather attractive hypothesis (suggested by Ernest Gellner, personal communication, Feb. 4, 1961), for *dhamzidha* is itself derived from another Arabic word for mosque, *masjid*.

11--*Dhaqbitsh*, pl. *dhiqbar* (from Arabic *qabila*) is the Rifian term for "tribe", the ceiling unit in the region.

613 621 619 114 614 12--"Fraction": translator's quotation marks. This term, very current in the literature on North African social structure (and deriving from Arabic *nuss*, "half", *tulut*, "third", *rba'*, "fourth" and *khums*, "fifth", each one of which usually refers to the number of clans or top-level segments a given tribe contains), is one which I find both imprecise and misleading. What one should read for "fraction" is either clan or maximal, primary or top-level segment of a tribe. What is totally missing in the term "fraction" is a notion of process.

As Blanco himself thought the term "fraction" absurd (as he indicated in a pencilled comment on a report on village etymologies in the Jbil of Aith Waryaghar by another interventor, dated 1939), we shall henceforth take his cue and call it "clan"--even though he continued to employ "fraction" in the bulk of his writing!

13--The concept of the relative autonomy or independence of the tribal clan (Blanco's "fraction") is, as far as we know, an original contribution by Blanco to the overall study of Berber social structure (even though Blanco's thinking may have had its roots, on this score, in Montagne, op. cit., 1930). It is, considering the time and place it appeared, a challenging and cogent theory, and Blanco discusses it at length in the chapter on *Social Organization*, as well as in *La Ley Rifeña*, 1939. The fact that the notions of balance and opposition in all segmentary societies have become anthropological commonplaces since Evans-Pritchard's Nuer work does not vitiate Blanco's argument.

000 14--Again, in the choice of words which these notes represent, Blanco gives no definition, and we fear that, although a literal translation renders the reading awkward, a substitution of our own terms might falsify what he had in mind, namely, to attempt to establish criteria for differentiation between social and political units. In our opinion, most of these distinctions exist in the author's mind only, and do not correspond to any sociopolitical realities; for, on upper levels of segmentation at least, social units and political units invariably tend to merge.

15--It is, of course, true that only men make alliances, wage war and engage in politics (councils, etc.), but there seems no need to belabor this rather obvious point. More subtle, however, is the implicit--and possibly unintentional--distinction made between social structure and territorial organization. In the Rif, as elsewhere, the territorial organization reflects a genealogically oriented social system which has been brought down to ground level, so to speak, and

000 arranged in spatial terms. The correspondence between a territorial system and a lineage system is always approximate, and sometimes, even, very close indeed, but it is, for a variety of reasons, never quite complete.

[114] [128] 16--"Group" is hardly the right word to give to an institution or a socio-cultural category; but one can see that it was well intended and that Blanco was groping in the right direction. In most instances in which his choice of terms is obviously wrong, we have tried to rectify this by the substitution of other words which seem more nearly to fit the context.

[627] [628] 17--*Imrabdhen*, sing. *amrabidh* (from Arabic *murabit*) are saints, living or dead, who, in the mind of the average Rifian, are often confused with *shurfa*, or descendants of the Prophet. The role of imrabdhen or shurfa as moderators in intra- or inter-tribal disputes is, indeed, perhaps the primary one which they (or some of them, for there are many who are functionally completely indistinguishable from ordinary tribesmen) play in Rifian society.

[563] [114] 18--The role of Jews in the Rif is indeed a primarily economic one--they are jewelers and pack-saddle makers, and their social status is (or was, as there are none left there today) the humblest in the area, for they never carried arms and were always under the protection of a clan or lineage headman who, if necessary, would defend them to the death. In short, they were and are despised, but their services were needed. But why Blanco mentions them, an ethnic group, in the same breath with a series of economic institutions is a bit difficult to fathom.

181 114 [113] [619] 19--As noted, the Rif formed an integral part of the *blad as-siba*, and Blanco's conceptualization of Rifian society as representing an "organized anarchy" may easily, in the traditionalist frame of reference, be extended to cover the whole notion of *siba*. In another publication we have already set forth our views on the usual French definition of this term, which goes back to Montagne, of *siba* as "anarchy", a notion which seems to us, in the last analysis, invalid, implying as it does a complete lack of government (cf. David M. Hart, "Emilio Blanco Izaga and the Berbers of the Central Rif", *Tamuda*, VI, 2, 1958, pp. 171-237). More recently, however (and a point which we overlooked in the abovementioned article), there has been a certain modification by at least one French scholar of this traditionally accepted viewpoint--cf. André Adam, *La Maison et le Village dans Quelques Tribus de l'Anti-Atlas*, Collection Hesperis, vol. XIII, Paris: Larose, 1951, p. 30, and personal communication, 1959. This modification, in effect, concedes that anarchy within Berber society is an inapplicable term, but that it is still valid if the society is viewed from without, or from above, because the highest organizational or structural stage which Berbers have attained is that of the tribe only, never that of the nation-state. And if we read between the lines of Blanco's words, this, or something akin to it, is very probably what he had in mind when writing of "organized anarchy".

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However, we would still take a somewhat more charitable viewpoint, and question the somewhat ethnocentric notion that a tribal society is any more "anarchical", even in an "organized" sense, than that of a nation-state. In any event, all this terminology is taken from Montagne (op. cit., 1930).

000 20--Blanco uses the term ramo ascendiente, which, in the sense that a jajgu is conceived of as a branch (ramo)--the Rifians employ the term azwar, pl. izuran, "vein", in this connection--of a dharfiqth or or lineage group, is very apt. The use of a term such as "ascending", however, depends entirely on which way one looks at Rifian tribal segmentation: from the bottom up (nuclear family to tribe) or from the top down (tribe to family).

We have found, however, that, except in the single instance of the recitation of their own personal antecedents in unilinear progression to the ancestor who forms the "apex" of the lineage, Moroccan tribesmen invariably tend to give the segmentation of their own tribes starting from the top and working downwards. In the Rif, [631] indeed, this approach to the segmentary system is greatly reinforced [681] by the method of dividing up the fines (r-haqq) imposed upon murderers by the members of the tribal council. The division of such fines follows traditional segmentary lines as closely as possible; in such instances where this is not possible (and they are very few, only occurring in cases of territorial discontinuity among the larger lineages), it follows the next best thing, the territorial system, which is in essence nothing but the lineage system spread out spatially on the ground.

21--The term "canton" is taken from Montagne (op. cit., 1930), and is [634] also employed by Carleton S. Coon, Tribes of the Rif, Harvard African Studies, vol. IX, Peabody Museum, Cambridge, Mass., 1931, p. 91. It [114] is a valid enough designation for the watershed canyon, ravine and [113] gorge-studded districts of the higher mountains in the Rif (Konrad Wiche, "Marokkanische Stadttypen", in Festschrift zur Hundertjahrfeier der geographischen Gesellschaft in Wien, 1956-1956, Vienna 1957, pp. 485-527, also employs the term Talschaften for similar districts in the Western Atlas), but loses its force if one attempts to apply it to the Plain of Alhusaima or the open rolling country of the Eastern Rif.

22--Khums (Rifian dhakhammasth) means "fifth", and is used only in the case of tribes which have five clans or maximal segments, such as the Aith Waryaghar, Igzinnayen (among whom, in fact, this alignment seems to have little functional significance), Thimsaman, Axt Tuzin, Aith Wurishik and Aith Sa'id. Furthermore, when it is said of any tribe that it "has five 'fifths'", this is an implicit admission that the tribe in question is a strong one. For a structural-functional analysis of the "fifth" among the Aith Waryaghar and elsewhere, see David M. Hart, "Segmentary Systems and the Role of 'Five Fifths' in Tribal Morocco", Revue de l'Occident Musulman et de la Méditerrannée, III, 1, 1967, pp. 65-95.

[114] Far more common in Rifian parlance, however, is ar-rba', pl. rurbu', literally "fourth" or "quarter", which Coon (op. cit., 1931, p. 91) has equated with "canton", and in doing so, has noted that,

000 [114] paradoxically, a "fifth" is larger than a "fourth"--so he employs "canton" to avoid confusion. He has failed to see that essentially, the two terms are interchangeable (a fact which once again underlines the fluidity of Berber and Arabic social unit terminology) and that *ar-rba'*, which is almost always used to denote maximal segments in tribes possessing less than five of these, is also employed, more often than is *kʰums*, to designate the five maximal segments of tribes which do have "fifths".

[343] [114] [113] 23--There are no collective storehouses in the Rif proper, as there are all over the Atlas, and here Blanco has committed a major error. However, Montagne has signalled their presence in parts of the Ghmara, to the west of the Rif. See R. Montagne, *Un Grenier Collectif de l'Anti-Atlas: l'Agadir des Ikounka*, Paris: Larose, 1930.

24--It is somewhat difficult to understand precisely what Blanco means in this connection. However, his MSS. chapters on religion and economics were only evidently projected, and never written.

25--*Dhaddarth* is properly "house", and *dhimssi* (lit. "fire") is "hearth", whereas the normal word for nuclear family is *nubth*, pl. *nubath*, lit. "turn".

26--In the original, *la major fuerza y derecho es el de los mas fuertes*. Indeed, Rifians themselves generally conceptualize the cultural goals of their society during the 'Ripublik' in very similar terms.

27--In the original, *un contrato de compraventa*. Marriage is indeed conceptualized contractually in the Rif, as elsewhere in the Muslim world, but it need hardly be pointed out that *compraventa*, "buying and selling", is highly misleading.

28--The word "absolute" is, in this connection, of course, extreme; but, considering the position of women in Spain itself at the time, it is interesting that a Spaniard should have employed it.

29--The marriage contract document, or *zujiya*, is written (both today and as far back into the past as any Rifian's memory goes), in conformity with the Shari'a. It says, in effect, that A, son of B, has married X, daughter of Y, in the presence of C, D, and E, and is signed by a *qadi* (judge of Shari'a law) and two *'adul* (sing. *'adl*),
[114] or notaries public. Blanco is in error in saying that the zujiya document was unwritten until recent times, because during the "Republik" period, the *fqih* or schoolmaster of the local mosque--a man who was and is usually only slightly more literate than his constituents--drew it up. It is in any case axiomatic in the Rif
[692] that whatever other cases (primarily criminal) that he did not handle, a qadi invariably resolved all matters pertaining to: a) marriage, b) divorce, and c) land. This means, in turn, that in all these cases, the necessary documents were drawn up in Arabic--at least theoretically!

[114] 30--This is not so today, nor, we suspect, was it so in the past. Every Rifian has a number of documents, all carefully guarded in his house; and, in addition, most holy men or shurfa have always had genealogical family trees to prove the "genuineness" of their own pedigree.

000 31--"Abandoning" is hardly the proper term, although we do know of a few cases in which this has actually happened. "Divorcing" is probably what is meant here.

32--The bride price varies considerably, according to the means of the persons involved, and may range from 30,000 francs up to over 100,000 (in 1960).

[671] 33--The Shari'a stipulates that if a husband goes away from home without
providing for his wife and does not let her know of his whereabouts
within three months, she may then divorce him. In practice,
however, this three-month period is usually extended to a year, during
which time the wife usually goes back to stay with her parents. She
is, however, prohibited from remarrying for three months after
divorce; this is to determine whether she is pregnant. If she is,
[851] she must wait until her child is born before remarriage; and the child
itself reverts to the father.

[114] 34--Here Blanco is in error. Plowing and sowing are invariably done
by men, and both operations are carried out by two men simultaneously,
[241] the sower preceding the plowman when cereal crops are planted, and
following him when beans are planted.

[241] 35--Rifian economics are based primarily on agriculture and secondarily
[231] on animal husbandry. Beside these activities, hunting (of rabbits,
[224] partridges, etc.) and fishing (only along the Mediterranean coast,
and to a very limited extent) are extremely minor pursuits. [226]

36--Ironwork is carried on entirely by a debased, (largely) endogamous
[565] and (largely) propertyless social class of people called imziren
(sing. amzir, "blacksmith"), almost all of whom, in the Central Rif,
[463] originate from the tribe of the Axt Tuzin, which produces a number of
other low-class social groups (in particular, imdhiyazen, musicians
who play and sing at weddings and who also double as mule-breeders),
all economic specialists, as well.

[178] 37--Women used to weave rugs on upright looms, and even jillabas (the
national garment of the Moroccan male, a woollen cloak with sleeves
[294] and hood) on horizontal looms, but men have now, for at least the
[286] last 40 years, done all jillaba weaving. Sewing (jillaba seams, located
in the front of the garment) is done entirely by tulba, or
Koranic students.

38--Except for chickens and eggs, which are the exclusive property of
[114] women. However, again, Blanco's statement, interesting in that it
comes from a Spaniard, seems a bit dogmatic and extreme.

[443] 39--In the Aith Waryaghar, women were expressly forbidden from attending
markets under any circumstances, and even now only old ones, poor
ones and loose ones show up on market day. However, in the same tribe,
there are five women's markets (and one in the Thimsaman) to which men
are equally expressly forbidden. With the segregation of the sexes
[114] as pronounced as it is in the Rif, it is very difficult for a male
anthropologist to find out (in other than the most general and roundabout
way) what goes on at women's markets!

000 40--Adultery in the Rif is almost always punished by the death of both the guilty parties, if caught in flagrante delictu. This, at any rate, is the procedure which is most favored culturally, and even if the Moroccan Government attaches a six-month or a year's jail sentence to it, many Rifians follow this path of action in such a case.

41--*Ar-raqba*, literally "neck" in Arabic, is the term used by the Algerian Kabyles to designate blood-vengeance. The Rifians use another Arabic word, *l-'adawa*, Rifianized to *r'adhawth*, meaning "hatred, hostility".

[114] [233] [859] 42--*Dhwara* is synonymous with *nubth*, and here Blanco is again in error, for, in the Central Rif, taking goats to pasture is neither a communal activity, nor is it done in turn by each small boy or girl in the community, but by the children of each nuclear family on their or its own account.

[114] [196] [651] 43--Blanco's phrase is *Es, pues, una sociedad turnante*, and this notion, in my opinion, is one of its author's most significant contributions to the study of Rifian social organization. With respect to Blanco's definition of *nubth*, it should be stated that the lexical meaning of the word is "turn", but that in the Rif it refers to a nuclear family, or that of a widow with unmarried children. The most significant function of the *nubth* in a wider sense, perhaps, is that the annual *tirtib* tax, calculated on the basis of ownership of animals and crop-yield, worked out on this basis in each village community in a tribe. It should here be noted that the *tirtib* tax was officially abolished in Morocco in the summer of 1961.

[144] [691] 44--It is maintained by both Rifians and Berbers in the Central Atlas that a man may have an unlimited number of wives at the same time provided that every fifth one is a negress. Not only is this fact considered to be sanctioned by the Shari'a, but I actually knew one Rifian qa'id (now deceased) who had 4 ordinary Rifian wives and a fifth one who was black.

[171] 45--Both widow inheritance (wife marries deceased husband's brother) and the sororate (husband marries deceased wife's sister) are standard practice in the Rif, as well as elsewhere in the Muslim world (see Coon, 1931, op. cit., and E. D. Chapple & C. S. Coon, *Principles of Anthropology*, New York: Holt, 1942). An outstanding example of widow inheritance is furnished by a woman I know (an informant's mother, to be exact) in the highlands of Aith Waryaghar, who married two brothers in succession (the first was killed in a bloodfeud and the second during the Rifian War of 1921-26) before finally marrying a third brother (the informant's father) and having five children by him!

[881] [171] 46--Puberty rites, in the proper sense of the term, do not exist for either sex in the Muslim Middle East. That a boy or girl is old enough to fast during Ramadan is a tacit sign that puberty has commenced. In the Rif, at this time, boys help their fathers in the fields and girls help their mothers in the house; it is only children of pre-puberty age, of either sex, who pasture goats.

000 [613] 47--An individual does not, sensu stricto, enter a liff on his own, but is rather affiliated automatically with the liff or wider alliance to which his lineage belongs, although he may later switch his allegiance to fracture lineage unity. (This is not uncommon.)

[171] 48--The number of Rifians who are adherents to Muslim religious brotherhoods (a wide-spread phenomenon in other parts of Morocco) is not large, although it has remained fairly constant even after Moroccan independence and the wane of the fraternities' influence [113] on the Moroccan political scene. For a discussion of the role of brotherhoods in Morocco, see F. S. Vidal, "Religious Brotherhoods and Moroccan Politics", Middle East Journal, 1950. ...The most important brotherhood in the Central Rif is the Darqawa, with adepts [668] in the Aith Waryaghar, Aith 'Ammarth and Igzinnayen; it is said that 'Abd al-Krim himself was a member of this order originally, but that on his rise to power he suppressed all brotherhood activities in a clean sweep in order to minimize the possibility of their turning against him. Other orders include the 'Alawiyin, among some of the mountain segments of the Aith Waryaghar, and the Tijaniyin and Nasiriyin in the Igzinnayen.

562 49--Here again Blanco is in error, as habus has nothing to do with the 428 return to her father's house of a divorced woman. Habus is a religiouse or charitable endowment, and in Morocco it usually takes the 114 form of a property donation to a religious institution, such as a mosque or a saint's tomb. The word implies, always, property which 423 has been set aside; and although Rifians do not admit any notion of [794] "private habus" in theory, they do so in practice. In the Central Atlas, for example, a man who is afraid that his sons will sell his land may put it in a state of habus, as it were, to prevent them from doing so; and while such a notion is unthinkable to Rifians, it is equally unthinkable that a son would sell his father's patrimony! Thus the idea of habus is intimately linked with that of indivision, and, as such, it has a bearing on the position of women with respect to inheritance rules. Although women theoretically inherit both real and movable property, their share almost invariably remains, in practice, in the hands of their fathers or brothers when they marry. Rifians say that it is perfectly permissible for a married women to come back to her father's house and cultivate her property; but that this is an evasion is readily seen from the fact that in Morocco it is men and not women who cultivate property! Thus, in effect, the "men's habus", of a private rather than a religious nature, safeguards a daughter's share of the inheritance--for the sons! For a discussion [113] of this problem in the Sus and Anti-Atlas, see Andre Adam, "Les Origines Ethniques de la Population Marocaine Musulmane de Casablanca", in Anthony F. C. Wallace, Ed., Selected Papers of the Fifth International Congress of Anthropological and Ethnological Sciences, Philadelphia, September 1-9, 1956, Phildelphia: University of Pennsylvania Press, 1960, pp. 371-76 (our reference to p. 372). Adam refers to this problem within the context of temporary emigration of small grocery-store keepers from the Anti-Atlas to Casablanca.

000 50--The fact of whether or not women inherit (informants invariably say that they do, according to the Shari'a, but they tend, by their actions, to prove the contrary) is a crucial question in Berber
[114] social organization. This has been nicely perceived by Blanco, whose opinions on the subject will be treated in their proper place.

[114] 51--This prognostication made by Blanco has yet to come true, as the
[669] revolt in late 1958 and early 1959 staged by the Aith Waryaghar against the Moroccan government has abundantly proven. Tribal
[086] "we-feeling" and "the sociopolitical importance of the group"--at whatever level of segmentation--seems to us to be as strong as ever.

[829] 52--This is a most interesting notion, and one which is never expressed as such by Rifians but implied in most of their actions, behavior and conversation.

[114] 53--Blanco is in effect trying to define each of the Rifian social units in a state of isolation, as it were, from the others, and trying to take them out of context. In so doing, he advocates, in effect, rigid definitions when what is called for is fluid ones. Small wonder, therefore, that he admits his task to be difficult!

54--In the original, *ramas familiares*--and, as I have stated earlier, what the *jajgu* is in fact is a lineage branch of the *dharfiqth*, and can only be adequately discussed in the light of the latter--or, in anthropological terms, in the light of a total system of segmentary lineage organization.

55--Blanco's argument, when boiled down, is as follows: the *jajgu* or *azwar* is a social unit which is essentially the result of polygyny, and if a man has descendants reckoned *agnatically* from three wives, each of these three sets of descendants form the nucleus of a *jajgu* which takes a *uterine* descent from the wife in question as its point of departure.

This, of course, is preposterous. Given a perfectly genuine situation, Blanco has drawn conclusions which are entirely erroneous. He would have us believe, in effect, that matrilineal descent may exist, under certain conditions, in a patrilineal society! Hardly. The fact of the matter is that 1) even though *ijujga* *may* originate from the descendants of different wives of the same man; and 2) even though one or more of these wives *may* come from a clan or tribe other than that of her or their husband--in which case the name of the *jajgu* may reflect her origin or even her name, although even so it is invariably preceded by that of her son; even in instances of this kind, descent is *always* reckoned through the male line, and the patrilineal principle obtains throughout. Polygyny is in no way a function of uterine descent, even though there may be evidences of matronymy; and the only mitigating factor in Blanco's hypothesis is that from an overall standpoint, he himself still entertains some doubts about its validity.

56--This is a very good and well-taken point indeed, and goes a considerable way toward explaining why, particularly with respect to issues of wider scope than those within, say, the clan, the statements of different informants (often) tend to vary so greatly. We would go even further: we believe that such ambiguity is absolutely inherent

000 in the social organization of the area as a whole.

57--Blanco mistakenly transcribes this as islifen. In Rifian, this has an entirely different meaning, for isrif (pl. isrifen) is an affinal kinship term signifying "wife's sister's husband". Thus, two men who marry sisters are isrifen to each other.

58--Jma'ath does not, except in official Spanish parlance, properly
[196] mean council. The term for council is Aitharba'in or Aitarba'in
(sing. utharb'in), literally "people (e.g. representatives) of the
[114] people" and not "sons of (or people of) the forty", as numerous other
[113] authorities (including Coon, op. cit., p. 96, and José Martos de Castro, "Lo Bereber en Marruecos y Sus Relaciones con lo Ibero", Alta Comisaria de España en Marruecos: Labor de España en Africa, Barcelona 1946, pp. 309-333, have indicated. Lionel Galand, however, favors on linguistic grounds the "people of the forty" etymology for the Berbers of the Sus, however (personal communication).

59--What a Rifian generally says is Nish zi dharwa n fran, "I am from the sons of so and so", mentioning the name of his dharfiqth rather than the word dharfiqth itself, when the question of lineage identity, within the clan, comes up.

60--Definitions of this kind were very much the rule, it might be added, among both the French and Spanish tribal administrators, most of whom were military men.

[114] 61--This is an instance of Blanco's constant inclination to divorce what he considers "social units" from those he considers "political units". The distinction, of course, is very largely an artificial one, for the higher up the purely "social" units go in the scale, the more "political" they tend to become, and vice versa. It is, once again, a classic example of European rigidity in classification (and the ever-present desire to put abstractions such as sociopolitical units into neat pigeonholes) as opposed to the essential fluidity (and consequent tendency to elude neat pigeonholing) which, we feel, is so basic to an understanding of these units, not only as they exist in Rifians' minds but as models structurally conceived by the anthropologist. And this means, above all, that each unit can only be understood in relation to all the others, not only on the same level of segmentation, but on those above and below it as well.

It is quite true that in some individual jma'ath-s, lack of kinship between component dharfiqin is an overriding factor in group composition; but this is by no means the case for all of them, and is really the exception rather than the rule.

62--This latter may be the correct derivation; Rifians who know enough Arabic to be conscious of the metathesis (and they are few) sometimes consciously pronounce the word dhafriqth. But the first possibility seems equally valid, that the word is derived from the root r-f-q, "to accompany" and that it refers hence to "men who march and fight together". Cf. Jacques Dumaine (probably a pseudonym for Robert
[113] Montagne), "Les Eléments du Problème du Rif", Renseignements Coloniaux et Documents Publiés par le Comité Algérie-Tunisie-Maroc, No. 2, bis, 1926, pp. 89-99.

000 It is of interest to note in passing that the only other part of North Africa where the same word (or, at least, a close variation, harfiqth) is normally employed to denote a lineage is among the Shawiya of the Aurès Mountains in Algeria (cf. Pierre Bourdieu, Sociologie de l'Algérie, series "Que Sais-Je?", Paris: Presses Universitaires de France, 1959, p. 37.)

[614] 63--Montagne is completely in error here, for the Rifian dharfiqth is not a clan at all, but a patrilineage. Blanco is somewhat nearer the truth, but always with this reservation: that although in some jma'th-s there may be (and indeed there are) no known kinship ties between their component dharfiqin, in others there most definitely are such ties. The latter case, as previously stated, is indeed the rule rather than the exception; but affiliations in either case can only be established on the basis of an individiual jma'th-by-jma'th analysis, and not selectively, as Blanco, in effect, has done it.

[581] 64--We have found no particular regional emphasis here. Marriages are made, among other reasons, both to heal bloodfeuds and to cement political alliances in both the Rif and the Atlas, and we are sure this is the case in Kabylia as well, although we have no personal acquantance with the area.

[593] [114] 65--One feels that some aspect of this judgment may be unnecessarily harsh even though we have heard (but not seen) a number of informants beat their wives, with the accompanying screams and howls of the latter. It is very difficult for a male anthropologist to gain any kind of access whatsoever to Rifian women, with the result that almost all information of this kind must of necessity be at second-hand, rather than direct observation. It also goes without saying that any remarks one might make about "cruelty" can, if not considered within the proper ethical-cultural framework, be construed only as value judgments.

66--To our knowledge, a woman cannot act as ukih for another women in the Rif.

[423] 67--Jma-th or collective property consists in the main of pasture land.

[114] 68--We have never heard of anything of the sort in the Rif, where theft is generally punished by a fine and the restitution of the stolen object.

[614] 69--The Scottish clan, as any anthropologist knows, is not a clan at all, but a bilateral kindred. Rifians, as already mentioned, however, do have clans (the largest and topmost level groupings in each tribe function as such); but these are quite a different thing from the notion of the jma'th!

[114] [829] 70--Blanco does not specifically come out and say so, but he obviously thinks--and, in large measure, correctly--that the inability of most Rifians to explain what a jma'th is and what its social role consists of may well have led to the confusion evinced by previous authors in attempting to define it. In any case, a certain degree of structural ambiguity seems to be inherent in Berber social organization generally.

000 [114] 71--Blanco assigns the *jma'th* a predominants geographical or territorial role, while the *dharfiqth* is given a genealogical one. So far, so good; but, at the risk of adding to the confusion, I think that Blanco mistakes *jma'th* in this context with *dshar*, "village, hamlet, community", for *jma'th* invariably embodies the idea of "people". However, it does not embody any notion of genealogical relationships, and thus Blanco's error is minor, and thoroughly understandable.

[114] 72--Not, obviously, in a literal sense; but even though Blanco no doubt employed it to bolster his ideas on lineage and segment shifts, the word was badly chosen.

[411] [648] 73--Rifles turned in to the Spanish authorities (often with grave reluctance on their owners' part) after pacification of the Rif in 1926 often formed an index, in administrative reports, to a tribe's fighting strength.

74--We know of no mosque in the Rif which only serves a single family, well-to-do or not.

[212] 75--*Qanun*, pl. *qawanin*, is, in Rifian parlance, a document drawn up in Arabic which records decisions of the village or tribal council on matters of local interest; or, more often, it merely refers to such decisions themselves, without benefit of documentary evidence.

[619] 76--By this Blanco means that an offshoot of *jma'th* A which through the process of lineage scission has moved physically to tribe B will have property in tribe B. This stands to reason; but the only ties which the new *jma'th* retains with its "brother" in its former home are those of memory and sentiment. For all practical and functional purposes, it is now a naturalized subsegment of another tribe, and it must conform to the custom of that tribe.

[114] 77--Blanco's theory of clan autonomy is most interesting and challenging, and is discussed at some length in *La Ley Rifeña*. It has, however, one grave shortcoming: its omission of the fact that such clan autonomy is always relative to the tribe. Vide our article "Emilio Blanco Izaga and the Berbers of the Central Rif", op. cit., 1958, p.194.

[648] 78--Blanco does not say, but it is possible that such sites may be attributed to the "Portuguese", whom Rifians say once occupied the Rif until "our ancestors rose up against them and drove them out, brandishing sickles in their hands".

[114] 79--This is an error of fact, at least in part. Today, the Aith 'Ammarth and the Ibuqquyen have only one market apiece, the former on Mondays and the latter, at Ruwadi, on Sundays; and to my knowledge, except for one women's market which is now defunct, Aith 'Ammarth has always had only one market. Blanco's own market listing, furthermore, brings out this fact: I) *Aith Waryaghar*--Mondays at Aith Bu 'Ayyash and Aith Hadhifa; Tuesdays at Dharan n-Dhihlaliyin in the clan of Aith 'Abd Allah (this market no longer functions, having been superseded by the Monday market at Aith Hadhifa); Wednesday at Sidi Bu 'Afif in the clan of Aith Yusif w 'Ali (also no longer functioning and superseded by a newer market on Saturdays at Imzuren which was set up by the Spanish administration) and at Turirth for the three mountain subclans of Aith Turirth, Aith Timarzga and Aith 'Arus; Thursdays at Imrabdhen;

000 and Sundays at Thisar, in the very center of the tribal territory (now held at Thamasind); II) *Ibuqquyen*--Tuesdays at Izimmuren (now defunct), Wednesdays at Anu in Azghar (now defunct), and Sundays at Ruwadi; III) *Ktama* (which now has only two markets, Tuesdays at Ktama and Sundays at Iqqawen)--Argiwen in clan of Bni Tmim in Swahil, Makhzin in Ulad 'Abd l-Ghaya, Imaten in Tamsaut, and Bab s-Saqiya in Amzaz (no days of the week are listed, and whether or not any of these markets are the same as the above two we do not know); IV) *Aith 'Ammarth*--clan of Yinn S'aid Ikhrif--blank; clan of Aith r-Hasayn--Mondays, serving the whole tribe; clan of Ija'unen--blank; clan of Aith 'Abbu-blank.

[114] 80--Aside from the rather far-fetched idea of nomadism, this notion of Blanco's is not unlike one expressed to me by Ernest Gellner (personal communication, Sept. 13, 1960) regarding segment or clan names among various tribes in the Central Atlas: "When a tribe migrates to and/or conquers a new territory, all its forces are required; hence all segments are represented, and hence each segment gets a share in the spoils of the new territory. This means, however, that the old "top segments" now stand for relatively small groups in the new place, and in due course the whole lot of them in the new place come to be known either by the place name and in effect add a new segment, or one of the old top segments comes to cover the lot of them in the new place, so that, locally, the other previous top-level names now move one down relatively to it.....This might be illustrated by Ait 'Atta, Ait Yafalman and Ait Sukhman groups, by comparing inconsistencies in the segmentary naming system from place to place".

[113] 81--Blanco only touches here on the highly interesting and important problem of the respective and complementary roles of genealogy and geography in tribal, clan and segment names in the Rifian area; for a fuller discussion of this subject, see our "Place and Tribal Names among the Arabo-Berbers of Northwestern Morocco: A Preliminary Statistical Analysis", *Hesperis*, 3e-4e trimestre, 1960, pp. 457-571.

[114] 82--This is an error. Friday is the Muslim day of rest, although not in exactly the same degree that Sunday is among Christians. However, the contrast made by Blanco here is challenging from another point of view: attendance at market on market day seems to be greater, both from an absolute standpoint and from the standpoint of percentage, than attendance at the mosque of the sermon on Fridays.

83--A clan may be either predominantly geographically based, in which case the propinquity of its members overrides what is essentially their non-relationship to each other; or it may be structured in terms of a common patrilineal ancestor, whose name is perpetuated even though the genealogical links which lead to him may be forgotten; or both.

84--Blanco in this sense means *qanuns* when he refers to customary law. As will be seen in *La Ley Rifeña*, the fact of whether a single tribe contains a *qanun* applicable to all of it or whether each clan has in effect its own *qanun* is largely a function of the size of the tribe in question. Virtually each clan (and in some instances each *jma'th* of a

000 huge tribe like the Aith Waryaghar possessed its own qanun, whereas a small tribe like the Aith Siddat in the Sanhaja Srir had only one qanun for the lot of them.

[114] 85--The idea which Blanco conveys here, i.e. that the whole Rif is in the last analysis split into two opposed liffs, is completely exaggerated. It is certainly true that each Rifian tribe is split more or less down the middle and contains two hostile factions, which are not always equal in size; but, on the outside, each of these tends to be allied only with that combination of clans in the next tribe which is politically favorable to it. The system thus tends to appear like a series of interlocking concentric circles rather than like a chessboard, as in the Western High Atlas and Anti-Atlas, if Montagne, op. cit., 1930, is correct. (More recently, however, some reservations [113] have been recorded by Jacques Berque on the overall validity of Montagne's liff theory: vide J. Berque, Structures Sociales du Haut Atlas, Paris: Presses Universitaires de France, 1955, pp. 42 sq.) A further difference is the size factor: in the Rif, far larger blocs of man-units are involved in each alliance than in the Western Atlas, though the territory encompassed may in fact be much smaller.

[171] 86--This is true among the Berbers of the Middle and Central Atlases, who have a very complex system of election of chiefs, but not for those of the Rif, where headmanship and chieftainship have always been a "dog-eat-dog" proposition, and where a councilmember attended council meetings until he was murdered.

[114] 87--This kind of legal terminology has always been in vogue in French and Spanish monographs and administrative reports about Berbers. To be sure, it describes the situation with reasonable accuracy, but in our view tends to put it far too neatly into a Western conceptual straitjacket.

[114] [794] 88--The fqih has nothing to do with habus property, which was looked after by the mqaddim n-tmzidha or caretaker of the mosque, and ultimately still is, on the local level, although at the provincial level the ndzir l-ahbas or habus administrator, has fulfilled this function since protectorate times.

89--The functions of a talib and those of a fqih are, in the Rif, almost interchangeable; indeed, the plural form of fqih, to most Rifians, is tulba. Technically speaking, a fqih is a teacher in a mosque, while a talib is a sort of post-graduate student, a "seeker after (Koranic) knowledge"; but the experience and abilities of the two are just about the same. Both are called upon to write out charms of all kinds, etc., and both are always addressed by the term Si ("Mr."), followed by their names, e.g. Si Muhammad, Si Mhand, Si ʻAmmar, Si Hmid, in recognition of their (relative) literacy in Arabic.

[114] [346] 90--To our knowledge, each man who had them kept his own arms and ammunition in his house. A mosque, after all, is a house of peace, not an arsenal!

623 793 411 421 423 91--The comparison which Blanco makes here of the institution of *habus* to a rich widow is a challenging one; for after land has been donated to a mosque as *habus*, the question of who works it is resolved by the *nadhir l-ahbas*, or *habus* property administrator, of which there is one, at present, in each province of Morocco (with a central Ministry of *Habus* in Rabat). He goes to the tribal markets periodically and, through the market crier, auctions it off to the highest bidder, who in turn receives all the harvest for his own use. This system is in vogue at present and was also current during Spanish times. During the "*Ripublik*", however, in the days before there was a *nadhir l-ahbas*, the members of the *jma'th* concerned worked *habus* land, and, after selling the harvest, used the profits to buy mats for the mosque. Sometimes, also, the *jma'th* would designate a poor man to work *habus* land for a fixed share of the field (usually one-fifth or one-fourth), though this was not as common as the preceding arrangement.

000 [114] 92--Blanco is mistaken here, as there was, and still is, only one agricultural-irrigational expert, the *aquwwam*, whose judgment is generally sought in disputes over irrigation water.

[114] 93--Again in this instance one can detect the influence on Blanco of Robert Montagne, who devotes the whole last third of his book (Montagne, op. cit., 1930) to the "rise to personal power" of the three Grand Qa'ids (the Glawi, the Mtuggi and the Guntafi) in the Western Atlas, and cites the rise of 'Abd al-Krim in the Rif as a parallel case. Under the French, the Glawi soon eclipsed his two competitors to become a single "Lord of the Western Atlas", as well as Pasha of Marrakesh; while it was the presence of the Spaniards in the Eastern Rif which produced the Rifian "national" leader, 'Abd al-Krim. Montagne's argument for a kind of unidirectional political evolution, from the nameless members of a village council, in the middle and latter half of the 19th century, through to nationally known tribal or regional leaders' through a continuous scramble-for-power process of "top-dog-ism", is a very persuasive one. Whatever objections one may have to it, it is likely to remain *the* argument for a long time to come--because today, in the 1960's, *the* facts of the matter have become almost impossible to (re-)check; and the old men who remember such things are now all dead or dying off.

[613] 94--"Government by the few": possibly, if the lineage or clan headman can be so designated. However, each lineage head was in reality little more than a *primus inter pares*, and anyone who attained clan-wide recognition was just that much more *primus*. Once again we are faced with how badly the European shoe fits the Berber foot.

95--The Spanish original is *absurdo*.

96--The *jma'th* is not just an economic organism or organization, but a group of people, the majority of whom are genealogically related to each other, living together in a hamlet or village which bears its own name and forms a member group in a segmentally organized system of such *jma'th*-s, all of which belong to a territorial or segmental unit of a higher order. Relationships between member *jma'th*-s of the same order of segmentation are at once economic, social, political, legal, and religious.

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[465] 97--The *fqih* is paid by each nuclear family of the *jma'th* in barley every year, but he receives absolutely nothing from property in *habus*.

[251] 98--The office of *amarras* is nonexistent in the Central Rif, where storehouses, either individual or collective, are unknown, and each man keeps his grain reserves in an underground deposit (*thasrafth*) in the patio of his house.

[804] [114] 99--In the days of the Republik, a *mudd* was reckoned at 48 kilos; in Spanish times, 50; and since independence, 56. This puts some doubt on the accuracy of Blanco's figures.

[114] 100--Blanco erroneously thought that collective storehouses once existed in the Rif, and he cites Ajdir and an unnamed place in the Sanhajan tribe of the Bni Hmid as examples; and he also thought that the institution should be revived, as a sort of bank or treasury or center of credit.

101--What Blanco no doubt means to say here is that the notables whose names are written down in this *qanun* are *ipso facto* no longer anonymous, and that the first step on the rise to personal power is the shedding off of anonymity.

[114] [562] 102--In Rifian, *imqqranen dh-imzzyanen*, and in the Arabic of *qanuns*, *"al-kibar wa al-sighar"*: the terms refer to all the men and youths (or boys) of a given locality. Perhaps this is the root of Blanco's interesting, if in some ways rather questionable, notion of women, who do not have the same status as their menfolk, as minors.

103--The notion of *qa'id* came in with 'Abd al-Krim, but no Rifian living can remember the day when there was no *qadi*, even if only matters pertaining to marriage, divorce and land fell under his jurisdiction.

[114] [177] 104--What Blanco probably means to say here is "Arabization" rather than "Islamization"; there is much more than just a subtle distinction between the two, and even during the period of the "Republik", a Rifian would have been mortally offended if anyone did not consider him a good Muslim.

105--*Bu-mwarith*: an official who takes over in the name of the government the property, real or movable, of any person who has died without issue or heirs.

106--*Ukil l-ghuyab*: inheritance or property representative for absentees; the man's function is a literal translation of his title.

107--This traditionally given etymology seems highly doubtful, for the Rif at least, and the term should rather read *aitarba'in* or *aitharba'in* (sing. *utharba'in*), which changes the meaning to the far more plausible one of "people of the people".

[114] 108--This seems to be purely an *ex post facto* explanation on Blanco's part and has no relation to reality. The notion of *Ait-arba'in* as people of the forty, in which there literally were 40 councilmembers, does exist in some areas (i.e. the Rgibat Bedouins of the Western Sahara), but it is unknown in the Rif.

000 [114) 109--In the Rif, to our knowledge, there was never a special "market chief", although this office existed in certain parts of the Central Atlas.

[565) 110--The market crier, like the blacksmith and members of certain other occupational groups, occupied a very low rung on the Rifian social ladder, and can in no way be considered as a "tribal functionary".

[533) [534) 111--The imdhiyazen, or professional singers of couplets at weddings and players of the zammar (an instrument with two mouthpieces and two flaring ends, each of which is adorned with a cow's horn), the flute and the tambourine, who invariably come from the tribe of the Art Tuzin, own no property in their own rights, and double as mule and donkey breeders.

[013] [648) 112--For a detailed account of the dance of the ibarudiyen of the Aith Waryaghar, see Emilio Blanco Izaga, "Las Danzas Rifeñas, Africa, nos. 55, 46-7, 59-60, Madrid 1946, pp. 315-16, 414-19, and 547-51., as well as our own article, "Emilio Blanco Izaga and the Berbers of the Central Rif", op. cit., 1958, pp. 232-37. This dance was stopped by order of 'Abd al-krim during the Rifian War in order to save cartridges, and was afterwards forcibly discontinued because of the post-protectoral prohibition of firearms in the Rif. Our account is only a translation of Blanco's, with comments.

(113--Diagram.)

[114) 114--The social structure of the Aith Waryaghar is indeed complex, and this admission by Blanco is a strange contrast to his earlier diagnosis of it as "rudimentary". Although in all essentials it is exactly the same as that of the other Rifian tribes, it is more intricate because of certain variations between the lineage structure and the territorial system. These variations are expressed in terms of spatial discontinuity between certain subsegments bearing the same names, as hinted at in Section F above; and it is this same discontinuity, virtually non-existent among the other Rifian tribes (and where it does exist, only in embryonic form at the level of the minor and minimal lineages), which is, in fact, one of the central arguments advanced by Blanco in the present section. Our own opinion is that it is intimately linked with the notion of lineage scission.

Among certain transhumants in the Eastern Atlas, notably the Ait 'Atta and Ait Saghrushshan (there are no doubt other well-authenticated examples as well), this kind of discontinuity assumes classic proportions, for it is elevated to the tribal level as well. The fact that it exists among the Rifians of the Aith Waryaghar, however, leads me to believe that it is not primarily connected with the economic organization under consideration (sedentarism or transhumance), but rather with gradual shifts, over time, of tribal clans.

115--The discontinuity alluded to in note 114 had long been an established fact when 'Abd al-Krim rose to power, and there was no reason for him to attempt to change it through, presumably, any regroupment of jma'ths. Such a change would in any event have been highly artificial, and it seems logical to assume that he was fully aware of this.

623 116--This market was located in the exact center of the tribal territory
631 of the Aith Waryaghar, at the point of convergence of all three
131 qa'idates (1-Uta, Upper Ghis and Nkur) alluded to above, and all
443 questions of import to the whole tribe were usually settled or decided
there. *Imgharen* from all of Aith Waryaghar came to this market
(646) when the full tribal council was convoked.
The Sunday Market at Thisar has ceased to exist since the
(648) Spanish pacification of the Rif; the Spaniards moved it slightly north
to Thamasind, a market, also held on Sundays, which is attended only
by members of the immediate subsegments in the vicinity, and which is
much smaller, in size and status, than its predecessor.

443 117--For more detailed descriptions of women's markets, see Andrés
562 Sánchez Pérez, "Zocos de Mujeres en Beni Uriaguel", *Africa*, Madrid,
(113) May 1943, pp. 22-23, as well as two works of our own, D. M. Hart,
"An Ethnographic Survey of the Rifian Tribe of Aith Waryaghar",
Tamuda, vol. 2, no. 1, 1954, pp. 51-86, and "Emilio Blanco Izaga and
the Berbers of the Central Rif", *Tamuda*, vol. 6, no. 2, 1958, pp.
171-237. (Specific references in the two latter cases are from pp.
80-1 and pp. 201-3 respectively).
Some recapitulation, however, is necessary for the purposes
of the present work. Special women's markets, which men are forbidden
(171) to attend, are not uniquely Rifian, for they are also reported
for the tribe of Ihahan on the Sus coast between Mogador and Agadir.
443 Montagne (op. cit., 1930, pp. 251-2) thinks that because in both the
Sus and in the Rif they are more or less confined to the coastal area,
562 they may, through their rigid segregation of the sexes, reflect a
114 greater degree of Islamization in these areas, for they are not to be
found anywhere in the Atlas. Sánchez Pérez, who also cites the existence
of women's markets in Ihahan, favors a diffusionist theory in
accounting for their presence in such widely separated areas as the
Rif and the Sus.
This kind of thinking must be relegated to the realm of idle
speculation. More important, however, is the rationale which Sánchez
Pérez gives for the existence of women's markets. He says that the
Aith Waryaghar themselves cannot account for the origin of this phenomenon
(which is true); but when he states that they ascribe it to
the need for the continuance of commercial interchange during the Republik,
when all segments and subsegments of the tribe were perpetually
at feud, and when only women, as non-combatants, were respected
and came, in effect, to handle normal business transactions during
such emergencies, he is, I strongly suspect, putting words in their
mouths. His argument falls of its own weight, for why, then, should
regular weekly markets (i.e. non-women's markets) continue to function
all through *siba*, as they did? He does not take into consideration
the primary *raison d'etre* of the Rifian market, which Blanco correctly
interprets as a "place of peace"; for market day was the *one*
non-feuding day (with Friday, perhaps, a poor second) of the week!
443 The truth of the matter, very probably, is that because the
562 men of the Aith Waryaghar have always zealously guarded their womenfolk
and have never let them attend normal markets (although this
has broken down somewhat as a result, possibly, of greater security

443 since the Spanish pacification of the Rif), women's markets came into
562 being either as a concession or by default. Even so, women of the best
families still do not attend them as a rule, much as they would probably
like to; for the sale and purchase of eggs, chickens and pottery
which forms the overt activities of women's markets are in reality,
one might say, a disguise for more clandestine transactions: sale and
purchase of potions, charms or recipes to induce love, fertility,
sterility, and even, in some cases, poisons. Rifian males all know
that their womenfolk "know all about such things", but their own
knowledge of them is, by comparison, very superficial; and it is thus
to their own advantage, in certain respects, to prevent their women
from attending. In a manner of speaking, they are successful, for it
is only old women, poor women, and women who are locally held in low
repute who are market-goers, either to their own markets or to regular
ones (the latter of which they have only attended in the last two
decades or so).

Women's markets exist today only in the Thimsaman, where there is one (on Tuesdays, Suq th-Thratha, at Swani), and in the Aith Waryaghar, where there were seven in Spanish times: one on Sundays (Suq r-Had) at Iswiqen, mentioned above; two on Mondays (th-Thnain), at Azghar, near Ajdir in the Plain of Alhucemas, and at Isrihan, in what Blanco labels the "originating Jma'th" of the latter; one on Thursdays (r-Khmis) at Swani at the mouth of the Nkur River where it empties into the Bay of Alhucemas; two on Fridays (r-Jum'a), at Aghridh, near Isrihan, and at Suftura, in Ighmiren, of Aith 'Adhiya; and one on Saturdays (s-Sifth) at Aith Qamra. (Of these, only that on Mondays at Azghar, that on Saturdays at Aith Qamra, and the Tuesday market of Thimsaman were still functioning in 1959.) Interestingly enough, there are no women's markets, and there never have been, in the heart of the southern Jbil itself, although those of Iswiqen, Isrihan and Aghridh are all on its northern slope.

Of the other Rifian tribes, the Aith 'Ammarth formerly had a
[184] women's market (on Thursdays, r-Khmis, at Ija'unen), as did the
Igzinnayen (on Tuesdays, th-Thratha, at Inhanahan), Bni Bu Frah (on
Tuesdays at Agni) and Aith Yittuft (in which the day and site of the
market in question are unknown to us); but these are all said to have
[114] disappeared before the time of 'Abd al-Krim. Sánchez Pérez, then, is
essentially correct in localizing women's markets within the tribal
territory of the Aith Waryaghar, which was obviously their point of
origin.

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117a--The Jbil Hamam, or Mountain of Doves (it is given this Arabic
[103] designation rather than the Rifian cognate adhrar n idhbiren), is in
[133] every way the mountainous backbone of the Aith Waryaghar, their highest
point geographically (with its peak of Adhrar n Sidi Bu Khiyar at
1930 m.) and their point of origin traditionally. With certain notable
[823] exceptions (such as the clan of Imrabdhen), all the tribal segments now
in the lowland part of Aith Waryaghar point to the Jbil Hamam as their
[121] ancestral home; and it was for these, as well as other, reasons, that
we concentrated our own research in the southern mountains of the tribe.

000 [114) 118--The *jma'th* of Isrihan gave its name to a whole subclan. The picture, however, is somewhat more complicated than Blanco would lead us to believe, although he is substantially correct. The founding family of Isrihan was the lineage of Aith Yikhrif w 'Amar, parts of which are not only to be found in Upper Isrihan and in Lower Isrihan, but in Aith Hishim, Aith Wamra, and Azghar, all of which communities are in the lowlands.

The true Isrihan, then, are fairly well spread out over parts of the tribal territory and in some cases they have differentiated themselves by merely tacking the place name of their new location onto their lineage name, e.g. Isrihan n Buham, Isrihan n Aith Qamra. This is of special interest in view of the fact that most of the original land of the Isrihan, on the northern slope of the Jbil Haman, is now occupied by a lineage named Imjawiyen, who claim descent from the clan of Amjau in the tribe of the Aith Sa'id in the Eastern Rif. This lineage, moreover, became numerous and powerful enough so that its members split into two hostile and feuding factions.

[114) 119--Blanco fails to point out that Upper Thamasind belongs to the subclan of Thigarth in the clan of Aith 'Ari, while Lower Thamasind belongs to that of Aith Ughiryizan in the clan of Aith Yusif w 'Ari; and this fact detracts much weight from his argument here.

120--This, in effect, is the reverse of the principle of segmental discontinuity; and the most striking example in the Rif, on the tribal level, of this kind of heterogeneity, in which virtually every segment or clan claims an origin different from that of the others, is that of the Aith 'Ammarth, whose people say not only was their land uninhabited before their arrival, but that they came from many different tribes to fill it up. Their explanation of their tribal name, *Aith 'Ammarth*, "people of the filling-up", supports this. An even better example is afforded by the Siksawa or Isiksawn of the Western High Atlas (Berque, op. cit., 1955, passim).

[613] 121--The normal Rifian term for "stranger" is *abarrani* (from Arabic *barrani*); *kharras* is unknown to us. The community of Ajdir is inhabited by the members of three lineages, Aith Mis'aud u Yusif, Aith 'Aru 'Aisa and Aith Zar'a (the last-mentioned being that of 'Abd al-Krim); but there are, in addition, numerous stranger accretions, particularly since pacification, and Ajdir is now the largest single community (almost 5000 persons) in the Aith Waryaghar. It is equally true that if one asks about traditional segmentation, one gets only the three lineages mentioned above, for one's informants will not mention the strangers, whom they consider of little account, unless they are forced to do so. This is a problem which would amply repay careful study.

122--What Blanco means by "having a familial origin" is descent from a common ancestor.

123--Etymology of *Aith Ta'rafth*,: "the people of the Arabic language". This is a possible lead to the speech of their lineage ancestor, who, according to my own field notes, came not from the Aith Yittuft (two out of three clans of which speak Arabic today) but from Algeria.

000 124--This lineage bears no relationship whatsoever to the *jma'th* of the same name in the Plain of Alhucemas; the latter, in any case, belongs to another clan, the Aith 'Ari.

125--The following lineages of the Aith Waryaghar are considered to be "*Aith Ya'ra*" or Bni Marin (and thus Zanatan) by descent:
In Aith 'Adhiya of Aith Bu 'Ayyash: Aith Tizi and Aith Fars in the *jma'th* of Ighmiren, Isi'arithen in that of Imnudh, and Aith Busta in that of Tazurakhth.
In Aith Bu 'Ayyash Proper of Aith Bu 'Ayyas: Aith Wuzghar in the *jma'th* of Aith Bukhrif.
In Isrihan of Aith Yusif w 'Ari: Ishshuyen in the *jma'th* of Upper Ixatshumen and Ijarayen in that of Lower Ixatshumen.

Whether they are in fact descended from the Marinids (a dynasty in Morocco, 1213-1465) is problematical. What is sure, however, is that the inhabitants of the City of Nkur, which was destroyed by the Almoravid Yusif ibn Tashfint in 1084, could not possibly have been Marinids.

[114] 126--According to our notes, not only is there no *dharfiqth* of this name in Tazurakhth, but none of the lineages there are autochthonous, their ancestors all having come from elsewhere.

[196] 127--The term *yinn*, "those of", is roughly synonymous with *aith*, "people of:, but Rifians tend to use it only when speaking of lower level segments.

128--The name *ibaranen* means "partridges" (sing. *abaran*); the names of all the other small lineages listed here refer to the lineage ancestors.

129--In the Berber dialect of the Central Atlas, *aghwilas* means "panther" (fem. *taghwilast*), and the Rifian *thaghirasth* is a cognate
[136] form. There are panthers still to be found in parts of the Central Atlas today, though none in the Rif.

[114] 130--This lineage is not named by Blanco, and our field notes show no record of it.

[114] 131--It would indeed. The question really is: why should any attempt have been made by the administration to reunite two or more related lineage branches after scission had occurred and after they had not only become separated in space but incorporated into new *jma'ths*? One might almost think that Blanco is looking (in vain, it must be added) for an artificial neatness in the lineage structure of Aith Waryaghar which has no correspondence with any social reality.

132--Although he has obvious misgivings about it, Blanco appears to resign himself, in this passage, to an acceptance of the structural *status quo*!

[114] 133--"Tributaries" is the wrong word here; "offshoots" would be better.

134--Mutual rights of two related *jma'ths* certainly include participation in the collection of fines, and in certain cases (according to inheritance) reciprocal rights in property cultivation; but they do not include contributions to the *fqih*, as each *jma'th* has its own *fiqh*.

000 [114] 135--Although he does not couch them in anthropological language, Blanco here elucidates certain principles which are so common to most segmentary systems as to have become anthropological platitudes, since Evans-Pritchard's work among the Nuer. They were not, however, platitudes in 1935, and Blanco's perspicacity in stating them (even if obliquely) should be commended.

[113] [144] 136--For competent discussions on the racial affiliations of the Rifians, see Carleton S. Coon, *The Races of Europe*, New York: Macmillan, 1939, and Coon, 1951, op. cit., pp. 156-7.

But why should the Rifians be aware of their own racial affiliations well enough to "forget" them? They know they are whites, and they know they are Berbers (the latter example of self-knowledge is particularly well developed at the present day, since the independence of Morocco, and contains definite political overtones); and these facts, to them, are sufficient, genealogies and traditions explaining all the others.

137--*Ghis*, in Moroccan Arabic, means "mud", and a better name for the river in question could not be found.

138--The sixth "clan" of the Jbil is in reality made up of three subclans which are "brothers" of the members of two of the other five "ancient" clans which Blanco mentions above: Aith Turirth are "brothers" of Aith Yusif w 'Ari, Timarzga are "brothers" of Aith 'Ari (Aith Yusif w 'Ari and Aith 'Ari in turn form the two top segments of one major clan, that of Aith Yusif w 'Ari *and* Aith 'Ari--it has no proper name, on this level, of its own), and Aith 'Arus are "brothers" of Aith Hadhifa. These three subclans, being contiguous to each other in the mountain massif of the Jbil Hamam and discontiguous to their larger "clan brothers" mentioned above, formed a single administrative unit under a *shaikh* during Spanish times.

139--Blanco's recommendation to do away with the *khalifa* or representative of the *qa'id* in order to make for greater administrative simplicity was not acted upon by the Spanish authorities.

[622] [184] [648] 140--The office of *jari* or village headman is one which exists only among the Aith Waryaghar. In all other tribes, the village headman is the *mqaddim*, who in Aith Waryaghar became the head of the administratively created "sub-fraction", while the "fraction" itself was under a *shaikh*. The creation and insertion by the Spaniards of another tribal office-holder on a level between that of village and clan (where no such office-holder had existed previously) was their answer to the greater segmentary intricacy, larger territorial units and greater population of the Aith Waryaghar. And last, but not least, Blanco's division of the total tribal territory into three blocs, each under its own *qa'id*, and each perforce following territorial rather than segmentary lines (owing to the frequent geographical discontinuity of subsegments), was, in the last analysis, the best and indeed the only way to make for an effective tribal administration.

141--This phrase comes from Hanoteau and Letourneux' famous reference to the *Thajm 'aith* of Kabylia as "la pierre angulaire de l'edifice berbère".

000 142--This organization, as it turned out, was not applied to other tribes; there was no need for it, for the others do not have the problems of segment discontinuity which the Aith Waryaghar have in such abundance.

[114] 143--This is close, and perhaps it was only prudence or modesty which prevented Blanco from giving the real etymology. Igzinnayen (sing. agzinnai) means "fornicators", and is derived from Arabic zina, "adultery". Their neighbors of the Aith Waryaghar and Aith 'Ammarth say, in addition, that the Igzinnayen fully live up to their name!

144--This is very true, and it contrasts strangely with the fact that a great many Rifians further north--for all the Rifian tribes except the Igzinnayen are located within the former Spanish Zone of Morocco--speak Spanish. Many, indeed, speak it better than they do Arabic; and if grammatical correctness is often lacking, a considerable fluency of expression and a wide range of vocabulary more than make up for this.

It is probable, furthermore, that as the Igzinnayen are located in the former French Zone, this report of Blanco's is based on contemporary and unpublished French reports rather than on personal fieldwork. The report is dated 1940.

145--The distinction which Blanco makes between Arabic and Rifian speech among the Igzinnayen seems to have little basis in fact, because informants from that tribe have repeatedly said that Rifian speech is the linguistic universal among all their clans; but it is true that a knowledge of Arabic becomes more widespread the further south in the tribal territory that one goes. However, it seems to me that the best linguistic index is what is spoken by the women, rather than by the men--and among the Igzinnayen, one gathers that although most of the men know at least some Arabic (which is seldom the case among the Rifian tribes in the ex-Spanish Zone), the women do not.

[103] 146--Renditions of place (or personal) names generally depend upon how the investigator approaches the matter; and in my own experience, and unless he specifically requests it, what the student will often find himself taking down is the Arabic rather than the Berber version, particularly if he is not familiar with Berber. However, we do not mean to imply by this that Arabic place names are non-existent in the Rif; far from it, and Jbil Hamam is an excellent example. The same applies to tribal and segment names: on the tribal level, for example, the prefix bni is the "official" one, and is employed not only in all administrative reports, but it is also employed with some frequency by the Rifians themselves, although not nearly to the same extent as Berber aith. This is true for certain segments, also: Bni 'Abd Allah, Bni Hadifa, Bni Bu 'Ayyash--but Aith Yusif w 'Ari, Aith 'Ari, Aith 'Adhiya, Aith 'Arus and Aith Turirth, to take examples from the Aith Waryaghar (or Bni Waryaghal) only. In other words, even though some segment names do also, other segment names still retain the prefix aith; and it would be most interesting to know what rules, if any, of linguistic change govern this phenomenon. In this same official usage, the prefix aith or asht has entirely disappeared from segment names in the Aith 'Ammarth (or Bni 'Ammart: Ulad S'aid Ikhlif, Ulad l-Hasain,

000 Ulad 'Abbu and J'auna) and in the Igzinnayen (or Gzinnaya: Bni 'Asim, Bni Yunis, Ulad 'Ali bin 'Aida, Bni Mhammad, Ulad l-Uta, and Imzdurar, of which only the last mentioned retains its Berber name, "mountaineers").

[114] [829] 147--The Branis tribe (Arabic *branis*, sing. *barnus*, "burnous") is very probably Berber by descent; but it is, as Blanco notes, entirely Arabic speaking today (as is Igzinnayen's other neighbor, Marnisa), and Rifians consider it "jabalan" rather than as one of their own.

[133] 148--*Tizi Usli*, "the pass of the bridegroom", is a tribal administration post in the northeastern Igzinnayen, while Azru Aqshar, "bald rock" or "bald mountain", is, at 2010 meters, the highest peak in the Central Rifian area, and is located just north of Tizi Usli, which nestles in its shadow.

[114] 149--Blanco is in error here, for all of Igzinnayen are Rifians, and of Berber origin. Even if they were not, there would in any case be little basis for a (largely artificial) contrast in physical type and/or language and/or institutions; and once again, Blanco is groping with outmoded anthropological theory.

150--As noted, the "Arab-Berber" dichotomy which Blanco draws within Igzinnayen is largely a figment of his imagination. The southern clans of Igzinnayen neither "obeyed" nor "resisted" the Makhzin in pre-Protectorate times, any more than the northern ones or any of the other Rifian tribes did. In fact, aside from Bushta al-Bahdadi's punitive expedition to Ibuqquyen in 1898, the Makhzin tended to leave the Rifians severely alone. Informants say that the sultans Mulay al-Hasan, Mulay 'Abd al-Aziz and Mulay Hafidh all appointed *qa'ids* and *shaikhs* in all the Rifian tribes, but such "appointments" were nothing but *dahirs* which ratified the already existing tribal and clan chiefs. In the Rif, therefore, the notion of "Republik" or *siba* was essentially characterized by a *lack* of contact between tribes and central government; and the above-mentioned *dahirs* merely preserved the *status quo*.

619 151--Like the Aith Waryaghar, the Igzinnayen are regarded as being divided into either two or five top segments, according to one's informants, although, unlike Aith Waryaghar, the problem of segment discontinuity within the tribe is (virtually) non-existent. The division into two top segments gives us the following: *Asht Bu 'Amar* and *Asht r-Manth*. Asht Bu 'Amar is in turn segmented into *Asht Yunis* and *Asht 'Asim*; and the first of these, Asht Yunis, is again segmented into *Asht Yunis* Proper, Asht 'Aru 'Aisa and Asht Mhand, while the second Asht 'Asim, is divided into Asht 'Asim Proper and Asht Findish. Asht r-Manth is segmented into *Imzdurar* and *Asht r-Udha*.

The division into five top segments bypasses the level of the top to give us Asht 'Asim, Asht Yunis, Asht Mhand, Imzdurar and Asht r-Udha; and immediately we note a discrepancy between the two systems. In the first, Asht Mhand is given the status of a subsegment of Asht Yunis, while in the second it is a top-level segment or clan in its own right; and the Qa'id Haddu n Muh Amzzyan of Aith Bu 'Ayyash (Aith Waryaghar), who was 'Abd al-Krim's top field commander in the Igzinnayen in 1925-26 and who provided us with the second set of data, told me

619 that in the Igzinnayen, the Asht Mhand were intrusive "fifth wheels"
exactly as the Imrabdhen were in the Aith Waryaghar. Coon (op. cit.,
619 1931, p. 19), on the other hand, calls them "autochthonous heathen"
114 because of their origin traditions, and this would accord more with
the two-segment division above, which assigns them to a firmer position
in the total structure (even though elsewhere in the same work,
on p. 92, Coon himself endorses a five-fold division). The two-
619 segment division, afforded us by the *shaikh* of Asht 'Aru 'Aisa, is
probably the more correct one, although the hypothesis of the Qa'id
616 Haddu is attractive from the standpoint of balance and imbalance of
114 *liffs*, and it is supported indirectly by Blanco's statement in the
text that the Asht Mhand came originally from the Mtalsa, which would
help explain their later *liff* affiliations.

The two *liffs* of the Igzinnayen were those of Asht Bu 'Amar and Asht r-Manth, with affiliations as above, so that in this tribe, the *liff* system did not cut across the segmentary system as in Aith Waryaghar, but was, rather, co-extensive with it. Not only this, but it corresponded, in general, to Blanco's notion of "northern" and "southern" *liffs*, although without the "Berber vs. Arab" overtones which he suggests. It is true, furthermore, that the moiety of Asht Bu 'Amar, which was bigger than that of Asht r-Manth, usually won, although it is theoretically possible, as the Qa'id Haddu implied, that the presence of Asht Mhand in the Asht Bu 'Amar *liff* may have tipped the balance. However, this is purely speculation, and in any event *liff* affiliations shifted about the time of World War I or very shortly thereafter, and before the rise to power of 'Abd al-Krim: one moiety, consisting of Asht 'Asim and Asht 'Aru 'Aisa only, crystallized around the person of the Hajj Muhand Biqqish of Ikhuwanen (Asht 'Asim), who became the most powerful man in Igzinnayen and who was eventually poisoned by 'Abd al-Krim; and the other, consisting of the rest of the tribe, formed around Si Hmid Ubarshan of Azru (Asht Yunis). It may be noted that this shift in alliances did nothing to restore a balance, and the two *liffs* remained as asymmetrical as they had done previously.

After the crystallization of this alignment, the neighboring
619 tribes became involved as follows: in favor of Biqqish were the Aith
616 'Ammarth (who were his affines), the Timarzga of the Aith Waryaghar
(into whom Biqqish's daughter had married) and thus also classificatory
affines), the Iznagen of the Axt Tuzin; and after the death of
Qa'id 'Amar Hamidu, half of the Marnisa; and in favor of Si Hmid Ubarshan
were the Aith Turirth and Aith 'Arus of the Aith Waryaghar (who
were against the Timarzga), the rest of Axt Tuzin, the rest of the
Marnisa, Mtalsa, and Branis. And the disequilibrium of forces still
held.

Blanco's statement, therefore, that Axt Tuzin helped the "northern"
[114] *liff* (of Asht Bu 'Amar) and that Mtalsa and Branis helped the
"southern" *liff* (of Asht r-Manth) is entirely plausible. The Axt Tuzin
are neighbors of the Asht Yunis, while the Mtalsa borders the Asht
Mhand, and the Branis are bounded by the Asht r-Udha; and this would
explain why all three tribes later came to support the *liff* of Si Hmid
Ubarshan. It should be noted, however, that wars between the Igzinnayen
and the Branis were very frequent; and when they occurred, the
tendency was for the former to patch up their own differences and gang
up on the latter.

000 152--This is true, and as Coon indicates, it is probably a hall-mark of considerable antiquity. See Coon, op. cit., 1931, p. 19, for traditions of origin of the clans and subclans of the Igzinnayen, many of which conflict with those given by Blanco below.

153--True; but does this necessitate the employment of value judgments as to physical type and temperament?

154--According to our notes, the Dharwa Haddu are autochthonous to Igzinnayen.

[613] [628] 155--According to Coon (op. cit., 1931, p. 105), many people of the dharfiqth of Asht 'Abd r-Mumin in the village of Iharrushen, of Asht 'Asim Proper, went to l-Mta as exiles after their feud with the Asht Tadmuth; the Hajj Biqqish, in fact, was a moving spirit in banishing them, as one of their members shot three of the Asht Tadmuth on the feast day of the 'Aid l-Khir. Perhaps poverty was also a factor in the move to l-Mta of members of other lineages in the Asht 'Asim.

156--Ishillahan: our notes state that their origin traditions are not from Andalusia, but from the Eastern Rifian tribe on the Aith Wurishik, which would accord better with their "Berber" name.

157--Ihadhriyen: our notes say that they have nothing to do with the Jbarna, other than that they are members of the same tribe.

158--Thaghirasth is autochthonous to the Igzinnayen, according to our notes.

159--Asht r-'Arqub: our notes contain no reference to Sidi 'Azzuz, in connection with the lineage.

160--Ikhabbaben: our notes contain no reference, regarding them, to Branis.

161--Asht Hazim: our notes, regarding them, contain no reference to Aith Iznasan.

162--To our knowledge they are all local lineages.

163--The Asht 'Aru 'Aisa are more properly descended from Sidi Ahmad, the son of Sidi Musa bin Mshish, and known as Sidi Hand u Musa. He is buried in Swaiyar, in the Asht 'Aru 'Aisa, while his father is buried in Jbil 'Alam of Bni 'Arus of the Jbala. Aru 'Aisa ('Ali u 'Aisa, or 'Ali bin 'Aisa) himself, the real apex of the lineage, is to be found some 11 generations later than Sidi Hand u Musa on the genealogy of these shurfa, whose authenticity is beyond question and is recognized in the right, which they exercise, to share in the annual proceeds of the box (sunduq) of Mulay Idris in Fez.

It is also said that 'Abd al-Krim was descended from the shurfa Sidi Hand u Musa of Asht 'Aru 'Aisa.

[616] 164--The Asht 'Asim and Imzdurar, each being the strongest representative of its respective liff, almost certainly formed the kernel of such a nucleus; but it seems to us that the Asht Yunis might be substituted for the Asht Marar, which is only a subclan of the Imzdurar.

000 [114] [311] 165--The "hospitality" of the landscape around the Mulwiya River contradicts Blanco's earlier remark about unproductivity; and the Central Rif itself, in any event, is one of the poorest and most barren regions of Morocco.

166--"Primary instruction", or ta'lim al-awwal, is the basic Qur'anic instruction which the fqih gives young boys in the village mosque, while "secondary instruction", or ta'lim ath-thani, is a step beyond this--post-graduate study, as it were, in the Friday mosque. By this time the amhadar has become a tarib; he can theoretically read and write the Qur'an, and he also becomes versed in the writing of charms and amulets and the sewing of jillabas.

[431] 167--Ma'ruf is a gift of either money or food to the students in the mosque.

168--The most obvious spring in the Asht Marar, Thara Tazzugwakhth or, in Arabic, 'Ain Hamra, which produces the best mineral water in the Rif, even though it only trickles out of the source, is not mentioned.

169--These last three communities are traditionally affiliated with the clan of Imzdurar, not with Asht 'Asim.

170--The Imrabdhen of Wawizaght are also termed Imrabdhen Ya'gubi, and are considered shurfa.

171--Midbuh was from Asht r-Udha; Buhut r-'Asimi, as his name indicates, from Buridh in Asht 'Asim; and 'Allal n Dahu from Asht Mhand.

172--For "anarchy", read "Ripublik".

[616] [578] 173--Of Azru, who later became the head of one of the main tribal liffs in opposition to Hajj Biqqish of Ikhuwanen in Asht 'Asim.

174--Now held at Tizi Usli.

[616] [619] 175--In his earlier years, however, Biqqish only had control of his own liff of Asht 'Asim and Asht 'Aru 'Aisa, while Si Hmid Ubarshan had the rest of the tribe under his thumb.

[613] [616] The dharfiqth of Yinn 'Ari Mqaddim in Aith Yusif of Thimarzga in Aith Waryaghar were Biqqish's in-laws, through the marriage of his daughter Mimuna to Muh n 'Amar jn-Mqaddim (see text); and the liff created between Biqqish and this single lineage of Aith Waryaghar was strong enough for them to support him against 'Abd al-Krim later on; and 'Abd al-Krim, in consequence, burned their houses.

176--Afuzar is on the border of Aith Waryaghar and Igzinnayen, between Asrafil (Thimarzga) on the Waryaghar side and Iharrushen (Asht 'Asim) on that of the Igzinnayen.

[776] [778] 177--The principal saint of the Marnisa. Near the Monday Market of the Aith 'Ammarth is the mosque of Sidi 'Ari n Dawud, where the Aith 'Ammarth all go to take oath; but Sidi 'Ari himself is buried in Marnisa.

178--The date of Biqqish's death is not certain, but probably early 1926. His body was taken to the cemetery at Ikhuwanen for burial.

OOO 179--Si Hmid died about 1950, and his brother Si Muh, who became shaikh under the French, turned against them in 1955 and became an active campaigner in the Moroccan Army of Liberation. Si Muh n Biqqish was still living in 1961, but held no position of responsibility.

180--She died in 1955. Her husband, Muh n 'Amar nj-Mqaddim, was the kalifa of the qa'id (Haddu n Muh Amzzyan) of the qa'idate of Nkur up until Moroccan independence in April 1956; he holds no position now.

000 J) Note on the Rifian Jma'th (Noticia sobre la Yemáa)

N.B. Undated MSS., probably written 1934-1936, Catalogue No. W1/Ñ, Sección Africa, National Library, Madrid.

"An old, confused and nostalgic tribal memory of which so many people are unaware, although they all utilize it and nobody expects it. How does it work, and how can it best be reactivated?"

Organs and Functions:

621 613 1) The jma'th is the association of several lineages (grupos familiares) or dharfiqin toward social ends and objectives. It constitutes the elementary unit of Rifian social structure.[1]

2) It is personified in the iziddjifen, the headmen of these [671] lineage-groups and their authentic representatives, zealous guardians of Custom (qa'ida), which is often codified into written qanuns established during an agraw or council-meeting.

3) It is visibly manifested in the mosque, the local community and the lands which belong to it, all of which give rise to a spatial discontinuity and elastic boundaries, the origin of not a few quarrels.

4) Objectives: to regulate the coexistence of these (lineage) groups, to watch over them and to administrate their common patrimony.

5) Obligations: these were to attend to communal services and property (prayer,...education, hospitality, external relations, harka, prestations, collective responsibility and distribution of property, lands, irrigation, spoils of war, and fines), with the exception, in theory, of anything relating to personal and possessory status (marriag inheritance).

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[594] [114] 1--The elementary social unit, in the Rif as elsewhere, is the elementa or nuclear family, and hence Blanco is here, again, in error. A more easily defensible argument might have been a consideration of the jma't as a kind of elementary political unit.

621 6) *Means*: its own functionaries and the contributions (taxes), in money or in kind, of its members (through profits, donations and fines).

7) *Functionaries*: are as enumerated below, duly grouped and classified for a primary and synthetic idea:

[623] a) *Native and Permanent*: the *iziddjifen*, who comprise the legislative body and whose nearest equivalent in European society would be "councillors in their own right" (*concejales por derecho propio*).

[646] b) *Elective*: the *aitharbi'in*, representatives to the outside world when occasion demands, and their auxiliaries, the *aith amzzyan*[2], and the trustees or administrators (*umana*).

c) *Contracted*: the *fqih*, for religious services; the *mudarris* or teacher of the community's small boys in Koranic instruction; the *amarras* or storehouse (strawstack) guardian in the Eastern Rif; and the *amzir* or blacksmith.

d) *Administrative*: the *mqaddim* ("he who goes in front"), delegate of the Makhzin and linking agent; and the *jari* ("neighbor"), helper of the former in outlying communities or hamlets.

e) *Recompensed*: although this category, like the previous one, is not a normal *jma'th* category (but a Makhzin-created one), the *tulba*, and the notaries (*'adul*) and the *aquwwam*, or expert on matters pertaining to land and irrigation, all belong to it.

8) *Mechanism*: The *jma'th* was autonomous regarding all matters internal to it, economic questions as well as all others, and was co-sovereign in external matters, for it took part (as we shall see later) in the adoption of agreements and the carrying out of those accords necessary for the upper-level collectivities (i.e. sociopolitical units), in a way to be indicated later.

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[2] --Possibly Blanco refers here to *imzzyanen*, "small people", in the same equivocal sense in which Coon (op. cit., 1931, p. 96) considered the council of the Rifian local community to be made up of teen-age boys, so that they would thus be prepared for governing in adult life. In our own experience, councillors are *imgharen* and *imqqranen*, "big men", not *imzzyanen* or "little ones".

621 [801] This autonomy in the questions which were imposed by the number five[3] rendered necessary an arbitration and a management of resources, and a creation of functionaries, although generally these 000 latter were unpaid. All this created such a solidarity and such benefits, lost today, that one might wonder if it would not be advantageous, in the undeveloped and rural stage in which the Rifians still exist, to resuscitate some of these practices or revitalize those of them whose survival is an indication of the need for them, through their codification in a *jma'a statute* (author's italics), the transcendency of which seems to us to be basic because it is a matter of foundations and not of retouches on roofs or walls, as we are tired of observing in the copious and unoriginal legislation of both zones of this torn land that is Morocco.

This neglect of the countryside (*campo*), of which these matters are yet another index, would not be admissible but might be excusable in an industrialized Morocco, but never in a land which, like 121 this one, is essentially agrarian and maritime.[4] Contrary, then, to 621 habitual writings on Morocco, we will venture once again on the humble but complicated paths of Rifian social structure, with a view to analyzing it, and intentionally putting aside that chorus of reciters with a more or less "sharifian" genealogy[5], and proceed to an analysis of the functions of the *jma'th*.

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[3] --The reference to the number five in this connection is curious: is it supposed to refer, for instance, to the concept of "five fifths"?

[114] [4] --Blanco reverses the order of these two adjectives in the original text, but we only need point out that Morocco's maritime vocation makes a very poor second, if that, to its agricultural one.

[114] [5] --Why Blanco should manifest this evident prejudice against the holders of holy genealogies is not clear, though possibly because he held such geneaologies to be more "Arab" than "Berber" or "Rifian".

623 621 671 9) *The Community Charter*: The principal function of the *iziddjifen*, among the many that fell to them, was to establish the norms of coexistence, the laws by which they had to regulate their social relations, the *qanun* or the *haqq*, as they call it, and to which we may refer as the community charter, which comes to be its equivalent.

671 This charter, whose archetypes, of a strong rudimentary beauty, I published in the year (not given: translator's note)[6], show very clearly its formative processes; and the matters which are codified are only those which it is convenient to recall periodically to the group as a whole for whatever the reason needed (neglect, modification or innovation), but not the only rules to be obeyed, for those admitted by Custom and followed in good faith, because of their applicability and convenience for the whole neighborhood, were not written down, as they were known to all and sundry. Thus, codifying them for the knowledge and satisfaction of outsiders would have been a waste of time.

The characteristics of these documents or agreements, which many people see only as simple lists of fines, can be resumed as follows: the drafting of the documents by the *tulba*, and the specification of the place concerned; those who attend; the reasons for the meeting and what is decided at it, i.e. transgressions, crimes and their penalties and sanctions; to whom this applies; the period of time that the agreement is to be in force; the individuals upon whom its fulfillment is incumbent; the neutral and prestigious personage who acts as mediator; and the saint or *amrabit* whose protection they invoke and under whose shadow they seek shelter.

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[6]--The reference here is probably to *La Ley Rifeña*, 1939.

671 If aside from local community questions such as irrigation, hospitality and matters dealing with education, these community charters also deal with "crimes of blood" (delitos de sangre), one may see in them, more than the incumbency of these units (organisms), the necessity of providing for the lack of other upper-level associations which were lacking in this organized anarchy, which, in a happy phrase, may be attributed to those days when social disintegration attenuated the functioning of the upper-level units: clan (fracción) and tribe.

10) Security: Internally, security was guaranteed in normal
621 times by the iziddjifen themselves, through the resolution of any in-
623 cidents and the clearing up of any disputes which might arise, while
627 in the internal political struggle of its council the popular spirit
623 predominated. This was even more the case when within the council the
613 equilibrium between dharfiqin or agnatic lineages was broken and one
621 lineage came to predominate, as now it was one of its representatives who, in the last analysis, came to achieve the delegation of the permanent executive function of security, under the pompous and strange designation of mqaddim or shaikh[7], who, satisfying his own personal vanity, brought about the envy of the iziddjifen, who were very jealous of their own prerogatives, who were paid in their jobs (sic)[8], and who were opposed to the notion of personal power for which the struggle now began. In this respect the qanum of the jma'th of (Lower)
[671] Thamasind (Aith Waryaghar) is of interest.[9]

7--Again Blanco reveals an anti-Arab and a pro-Rifian bias, perhaps: he would obviously have preferred the designation amghar. However, and more to the point: he is also equally aware of the superfluity of such titles in a society as fiercely egalitarian as that of the Rifian tribes.

[114] 8--This was hardly the case: no tribal leaders (to say nothing of mere lineage headmen) in pre-Protectorate Morocco were ever paid in the formal sense of the word. Remuneration came through occasional "perks".

9--Cf. La Ley Rifeña, 1939, Chapter V.

613 621 616 182 This internal equilibrium between dharfiqin was maintained, more than by the play of (within) the jma'th, by the liff alliance system which, linking tribes, clans, communities and lineages into two rival bands, created the miracle of permitting the existence of minuscule units of this type amongst others more powerful, although the clarification of this point would take us further away from our present intentions.

614 619 701 Security in external relations was attained by the connection with the upper-level units, clan and tribe, and verified by means of their representatives and the contingents of armed men which on special occasions they had to send as irregular tribal troops in a harka, which defended group interests in any revolts or fratricidal struggles.

646 619 The representatives of the jma'th in its external relations are locally known by the name of imgharen, and more commonly by the Arabized term aitharbi'in (the forty: sic), because each khums (one-fifth of the tribe) generally provided eight representatives (sic)[10]. These men of the aitharbi'in were generally accompanied by an escort of aith amzzyan (or aith umzzyan?)[11] who officiated both as advisers and as witnesses to the agraw or council meeting where questions of common interest were aired and examined.

721 621 613 When these questions necessitated armed expeditions outside the unit concerned, the (manpower) quota which each jma'th had to provide

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[114] [10] --This makes a neat mathematical model, but in practice it is based upon a false premise, as it has been demonstrated previously that the term aitharbi'in refers in fact to "representatives of the people" and that it has nothing whatsoever to do with the notion of "forty".

[114] [11] --The concept of aith umzzyan or imzzyanen, "little ones", "minors", as participants in the Rifian political system is, again, erroneous. It is only in the present paper that Blanco introduces the concept in this fashion.

721 621 613 was imposed by the tribe or the clan: it was based on distribution amongst the several dharfiqin comprising the jma'th in question, while the place and date where and when they had to present themselves was communicated to them by the leader of the expedition, who also examined cases of exemption and desertion.

Thus, both in theory and in reality, all the operations of recruitment of our European municipalities were incumbent upon the jma'th; while relief and provisions, the personal and complementary obligation of the dharfiqth, were sometimes assumed by the jma'th when the earlier operations failed, as a kind of advance.

721 182 This natural system, alleviating the principal one of a number of onerous chores which are discharged by (military) services in European bureaucracies, permitted the Rifians to give their full attention both to military operations and to politics. It bound all of them together, the front and the rearguard, in a common interest, principally economic, which in lieu of discipline was what reinforced local spirit. The economic interest (the saving of ammunition in combat and sobriety in eating--for the individual had to pay for both out of his own pocket), apart from avoiding not a little dissatisfaction and worry, afforded the harka a high degree of addiction to rapine, given the fact that its members had to live on their own account in enemy territory in order to compensate for the woebegone consignments of the wretched rearguard, justifying through its well-known raids its desire to fill its stomach, the clearest of all its bellicose undertakings. Such that, once the booty was obtained, the harka was dissolved on more than one occasion.

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11) **Estate**: The rural estate must be considered as being formed by the funds and property which the members of the jma'th looked after and which are mentioned in Section (5),[A] above, and those which they used in common, such as lands and fruit trees, water, brushwood, pasturage, etc., (all) comprising the patrimony of the jma'th, given the fact that all of these were administered freely by the latter, and that they originated in it and invested in it, although toward different means and ends, as we shall try to show.

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a) **Worship**: The attentions to worship, in any tribe, presented two aspects which were cared for in different ways. One was that regarding all pertaining to the mosque as a building, dhamzyidha (construction, repairs and maintenance), and the other was that of the personage who officiated within it: the fqih. The re-
[423] sources on which both depended had the same origin: the intangible patrimony of the mosque formed by voluntary donations of well-to-do and pious individuals, consisting of lands and fruit trees, the working of which through leasing and the acquisition of graves in the vicinity of the mosque constituted its income.

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[429] [251] The administration of these properties was the job of a lay member of the community, who was nominated by it and to which he had to account. The storeroom for grain was the ghurfa (Rif. ghwarfth), the second story, or any other room of the dhamzyidha or mosque, the key of which was kept by the mqaddim just mentioned, while the fiqh was its guard.

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When plowing-time arrived, the p[illegible]ny was leased at a meeting of the jma'th, and when it was time for the harvest, each

[A] [See p. 183--Analyst]

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241 person took to the storeroom the share of grain which had been allotted
621 to him.

621 The fqih was contracted and paid through this share of
623 grain. The mqaddim's job was gratuitous and was reduced to the acquisition
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793 of mats, lighting, buckets, brooms, small repairs, the
622 storing of the harvest and the payment of the fqih, with due notice
794 given to the jma'th. For other expenses, such as additions and improvements
623 on the building, etc., there had to be prior agreement on
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613 the part of the jma'th, i.e. acceptance of these matters by the
various lineage heads.

794 From this simple mechanism and the character of these
423 properties resulted their scrupulous and austere administration by lay tribesmen (author's italics), which any other procedure would have been hard put to surpass. The result was that not only were the summary needs of this sort, today unsettled, catered to, but that it was rare to find a mosque which did not possess surplus stores good for five or six years. Hence this constituted a true estate, a localistic tie which everyone voluntarily tried to improve and which today it is possible that we (i.e. the Spanish administration) have disrupted.

423 It has been said that our (i.e. the Spanish) occupation
794 and action have forced the discovery and have focused upon habus
177 (religious and/or charitable endowment) properties which were either hidden or were on the point of disappearance. In the (tribal) countryside, this is either an error or an infantilism. Not only have we (the administration) discovered nothing of the sort, but we have confused things a great deal, as anyone who reads this paper, or rather, anyone

423 794 177 [621] interested in doing field research may see. What happened was that the *jma'ath*, given their natural lack of confidence and their fear of our innocent decrees, disclosed to us a part (of what had happened), reserving for themselves exactly what was needed in order to assure themselves, in the worst cases, of the maintenance of worship and the *dhamzyidha*, the social and religious link.

621 423 794 With this estate, with this "bank", the poor *jma'ath*, in their hazardous existence, were able to save themselves in hard times, either in times of famine or drought, with advances of grain, or in times of violence, with advances of fines, *muna*-s (food) to *harka*-s in transit, acquisition of arms and ammunition, etc.

423 794 With the new centralizing system of a shocking and unanimous complaint, there is no rural mosque which is looked after; the fiscalization of accounts does not have that (degree of) efficiency; and, outside of its bureaucracy, the profits may only be revealed in the ostentatious and less accommodating urban mosques, given that if the latter were nests of preachers, and loafers, and rebels, the former acted as places of asylum, banks, storehouses, councils, clubs and schools. But the worst is that such a procedure mocks the will of the donor and falsifies management of the donation, for the property which the devout and rustic tribesman turned over were destined for lay administration and for the profit of his humble *dhamzyidha*, and with it for his family and for the small social nucleus within which his life developed. It was not in order to cover up the leaks of the mosque, whether large or small, nor to enlighten any urban *mulay*, whose surplus resources, religiosity and the prodigality of whose adherents could

423 794 never be made use of through such modest donations, so exact was the objective for which they were turned over. And today they are obliged to be substituted by new constructions, as already we are finding instances in which the tribesmen are obliged to use part of their communal property in order to cover their minimal religious needs.

The traditional tribesman, a localistic and primitive soul, could never dream that his generous gesture and the fruit of his labor would be converted into utilization for and the beautifying of the vampire city, of that city which he knows only through its derisive attitude toward him and its desire to cheat him.[12]

651 621 b) *Self-Taxation*: This category was fulfilled in the *jma'th* through other classes of property, such as religious (properties), through voluntary contributions and through alms.

The *'ashur* (Rif. *dha'ashurth*) or tithe from the harvests, which was received in kind by another *amin* (read *mqaddim*), also a *lay* (author's italics) tribesman expressly nominated by the *jma'th* to whom he was responsible, justifying payments and income, and guarding and administering voluntary donations.

The respect for and knowledge of these good customs and 651 648 primary institutions in the Rif has permitted us to utilize such sentiments of solidarity on diverse occasions, without excessive shifts from times of abundance to others of restriction, hence giving them the sensation of our constant solicitude and thus coming to establish in some *jma'ath* and 'bureaux' (*oficinas*) the idea of voluntary deposits (donations), and hence again (re)awakening Custom.

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(648) [12]--This paragraph, as well as the preceding one with its reference to the "urban *mulay*", clearly indicate that Blanco fully shared the prevailing view of the protectoral authorities of both zones of Morocco regarding the administrative wisdom inherent in the separation of Town and Tribe.

000 (donations), and hence again (re)awakening Custom.

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621 The *'ashur*, a Koranic tax which was always collected by the Makhzin--even including "rebellious Makhzins" like that of 'Abd al-Krim--continued to be collected by the *jma'th* in its long periods of "anarchy", which to the *jma'th* concerned meant, of course, autonomy. From this stems the fact that although the *tirtib* today is the real Makhzin-imposed tax, the *'ashur*, for the Rifian tribes, continues to retain its traditional character both of religious obligation and of *application to the jma'th* (author's italics), a tax which is accepted with such good grace as to leave the evaluation of how much is to be paid to the conscience of the reductions longed for by any Rifian; and this in just the same way as the *tirtib* is rejected and regarded as disagreeable. Hence the reform of the *tirtib*, or better yet, the reform of any system of tribute, might also be advisable with a view to freeing the product from any internal encumbrances.

Hence the voluntary alms (self-taxation) which Rifians call *dha'ashurth* (tithe), collected in kind (figs, raisins, walnuts, olive oil, barley, etc.) and turned over to the hands of the appropriately elected member of the local community, constituted the beneficial bases with which the *jma'th* fed its own poor and those in transit, without falling into the prodigalities, with relation to their means, of organizations set up in which there are real contests to be poor, with the result that their mean standard of living was higher than the sober mean of the *jma'th*, which organizations of this type should not surpass nor equal[13].

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[13]--The allusion here has escaped us: it may possibly refer to some particular institution current in Spain in the 1930s. In any event, this is another of Blanco's tortuously meandering sentences.

871 c) *Instruction*: The maintenance of expenses relating to
621 education fell and fall, independently of the above, on the members of
793 the *jma'th* who, in turn, must provide the *fqih* with his meals, while
his contract, as we have seen, depends, on the other hand, on religious
property[14].

621 The gratuitous character of the representative jobs, such
574 as the *iziddjifen*, and the eternal need to be prepared adequately for
651 distinguished visitors (tribal authorities, personages of political,
economic or religious significance, *harka*-s passing through, etc.)
made it mandatory that the expenses incurred through the feeding of
visitors (*difa* or *diyafa*, or, more commonly in the Rif, *muna*) be shared
equally by the members of the *jma'th* or that they be levied by the
621 *iziddjifen* at so much per head. To this end they also used to prepare
241 reserves set aside from the harvest reaped in common from the *jma'th*
651 lands as of that taken in from the leasing of these same lands, funds
from which were also applied or set aside for the repair of irrigation
ditches or for any other communal need which the *jma'th* agreed had to
[794] be satisfied. Even today this custom continues, and the *ziyara* donations
to members of holy lineages, once the harvest is in, are effected
in this fashion, with the crop taken in from a plot of land held for
792 this purpose. Such a plot, in some *jma'ath*, is usually entrusted to a
794 *fqir* (member of a religious order) of the *jma'th* (in question), who
must convoke its members to plow and harvest it. For these individuals,

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[14] --In our own experience, both the meals of the *fqih* and his annual remuneration in barley depend entirely upon the resources of the members of the *jma'th* concerned. No doubt, however, if his annual stipend in barley can be integrally extracted from religious land (such as *habus*), so much the better, and nobody is the loser.

792 who played such an important role as good and neutral men, healers and
794 harborers of (individuals in) asylum in days past of fratricidal struggles (i.e. bloodfeud), this (most curious) Berber society afforded them, in exchange for their partisan withdrawal and their other-worldliness, sufficient means for a quiet and dignified existence.

423 Today, perhaps, the only responsibilities depending on
178 the stocks such as those cited above are the well-spaced visits of such
794 individuals or of an occasional interventor; and what is left over is used to buy an animal and celebrate a communal repast which, now as then, compensates for the Rifians' enforced vegetarianism.

423 The result is that, in reality, individual and jma'th,
621 for all these matters of an economic character, complement each other
794 admirably in their rudimentary (sic) administration. The individuals voluntarily turn over rugs and lamps, and put in working time in the fields and seed; while the jma'th supplies the harvest and anything else needed, and then distributes the surplus. For this reason, visits
[574] with "meals" involved do not please the Rifians, and they are beginning to complain about them, no matter who the guest is.[15]

423 d) Communal Property: Communal lands are infinitely more
648 complicated a matter for the protectors to classify and put in order, to say nothing of the Makhzin: for the locals oppose by any and all means any clarifications on this score. They mistrust the intentions of the former, who have not yet succeeded in inspiring the confidence necessary for collaboration of this sort. How many times after revising

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[15] --This is eminently believable, in the hard times which prevailed in the Rif during the 1930s and 1940s.

423 648 the question have (interventors) had to abandon it unfinished, disheartened to see the effort yielding so little result, and contemplating the manner in which the inventory of such properties had diminished.

423 648 124 [203] Regarding these properties, I was recently told by some Rifians about what happened in their tribal territory when, many years ago, the protectorate authorities decided to plant a piece of communal land in the Eastern Rif with olive trees. The news spread through the tribe with the usual deformation, and its members became alarmed. Some of them, including my informant, decided to divide up all properties of this type which remained to them, for fear of being deprived of them. Did the Makhzin find out? Did it take any action? Is the news true? I do not know.

000 The above notwithstanding, a new revision and classification with every possible guarantee to allay alarm of this sort, and with the object of restoring to the rural estates the creation and classification of their patrimony, is possible. It is a task requiring effort, tenacity, urgency and desirability, because if the appeal (which is made) is not strong and healthy, neither will be the outcome. This patrimony, or at least a part of it, must be made inalienable, as is that of the habus. It should be made up of arable lands, fields and fruit trees at the limit or boundary of the jma'th, with no known owner, and should also include ghaba lands which are not regularly worked. All this land, when the seed has arrived, should then be parcelled out for plowing amonst the members of the jma'th; and some lands should be earmarked for common plowing in order to obtain the means to meet the obligations of hospitality, in this way removing the burden

000 from the individual member and, today, to subvention the most urgent needs of worship abandoned by the central authorities.

The Statute of the Jma'th

My long sojourns in tribal territory, at different levels of command, and my stumbling upon the jma'ath, surprised me at first, then made me take a second look, and finally made me appreciate them. The Rifian and the European (Spanish) authorities will find only profit in the observation, reception and revitalization of this institution. Whoever does not know the "play" of the jma'ath or does not utilize it is either building on sand or will become a despot whose alarms will disturb him and whose labors will not survive. I have reflected many times upon how little or nothing would remain, in case of a new revolt against all our improvisations and innocent classifications. No matter how many times the Rifian has declared himself to be in a state of rebellion, he has returned to take refuge in his jma'th with an extraordinary atavism which nothing would indicate has disappeared.[16]

For this reason I believe that any new legislative measure must aim at providing a channel in which the activity of the jma'th can develop, providing these localized political groupings with official status and interesting them in active collaboration (with the administration); and thus might be avoided the fact that they might torpedo the Makhzin's decisions. What is needed is to recognize that they have a personality and, in a word, to strengthen them, instead of ignoring

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[16] 16--In view of the events of the Aith Waryaghar rebellion against the central authorities of Independent Morocco in 1958-1959, this is a highly prophetic remark.

600 them, and to remove positions which might become complicated through
useless centralization or confused through disadvantageous classification.

Today Rifian society lacks its own organs of expression,
sheltering its ill humor from the picturesque pages of a partisan and
slanderous (Spanish) press, a collector of those disaffected and rancorous
648 individuals of poor mentality. In its turn the Makhzin becomes
strengthened through a milieu which is hostile through incomprehension.
648 631 It neutralizes its delegates (mqaddmin), the manner of their appointment,
622 [621] their mediating authority and their connection with the jma'th. Even
should he like to do so, the mqaddim cannot, as in other positions,
undertake to defend the Makhzin: it is possible that he does not know
how, nor that it occurs to him, nor that he would even dare to do so.
622 178 What, then, remains of his position? That of a local community guardian
or of a poor (bad) or fearful informer, if not, indeed, tendentious for
178 some individuals or for others. This is very little, and the progress
423 621 made in the rural nuclei is nil: communal property is disappearing, and
623 pastureland and brushwood-land are both getting further away and more
reduced, while the mosques are cut into pieces, the (inter-community)
paths are erased, the wells are emptied and the jma'th is becoming
ruined, ceasing to act in its useful communal functions and endeavoring
to become a paid or salaried parasite.

183 Nonetheless, even as strong as was Rifian Custom, so
178 clear, simple and beneficial that it lasted for ages, it appears almost
as if when the official and orderly crust was scratched, it (Custom)
was unable to obtain the confidence of the tribes or even to fulfill

183 such urgent needs: it disorbitized the simple problems of fiscalization,
178 strengthening and (re)orientation of Rifian popular institutions in order to create a cold and foreign bureaucracy and/or, at the very least, to improve the cities by putting up sumptuous buildings or repairing beautiful minarets.[17]

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178 From a communal administrative organization and an essentially lay and effective position--like that of the *ahabbas*--a complicated religious problem and political weapon has been forged, i.e. the forms and modes have changed completely, to the detriment of the need which they tried to remedy. The administration has passed into the hands of the *tulba*; the inspection into those of the *qudat* (pl. of *qadi*); and the orders for payments into those of nothing less than a Ministry.[18]

600 In these dazzling reports it is easy to find science *per se* and the origin, finality and means of acquiring and utilizing these *jma'ath* properties in the different tribal areas of our (Spanish) zone in its "anarchical" (*sic*) existence.

I believe, then, that it is not in ways foreign to the Zone nor to those of the Arab authors of treatises where we must look for the light which will illuminate our path, but rather in what we know (empirically) through investigation of Rifian society itself, whose most durable facets are not very different from old Spanish

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[114] 17--The situation which Blanco hints at here, of local community resources in the Rif disappearing in order to add luster to urban mosque-cum-*habus* situations, is not one which has ever come up in our own experience.

[199] 18--Here Blanco complains again about what can only be labeled as "Creeping Arabism", after his earlier remarks about the pernicious influence of "the city" on the Rifian.

OOO customs, with their olive trees as the property of the Virgin of such-and-such a locality, or rather, as *habus* of the saint's tomb.

Perhaps we are not in tune with the fashion, and perhaps we do not have the approval of the picturesque (*sic*) nationalist of our (Spanish) Zone; but we will have the satisfaction, integrity and Quixotism (quixotry) of having insured its improvement with a minimum disturbance of its clearest and most efficient popular institutions.

In the same way, in a necessary and new classification of communal properties, it will be logical to advise and endow the *jma'ath* with supplementary resources and means which would permit them to strengthen their estate, remaking their patrimony and earmarking certain plots of land for planting of trees (*repoblacion forestal*), for creation and improvement of pasture-lands, a task which in our (Spanish) zone, in spite of the legislation and of recognized efforts on the part of individuals, has, like so many other things, never moved beyond the nominal stage, to move the bones of the *Intervenciones* with ink and good ideas. This is a stage which, in reality, we may venture to say, without excessive shame, all our work may be found at present; and only with a radical change in procedure and a tenacity of purpose which we do not discern anywhere could such an undertaking be implemented in such refractory means and conditions of efficiency.

Conclusions:

1) Organizing the *Jma'th*: by giving it a mission and dictating the necessary norms of its composition and function; by restoring to it full administrative autonomy and those other attributes

000 conducive to the best development and progress of the urban nuclei (or rural centers), whose principal diagnostics are herewith enumerated: designation of representatives and their system of assemblies; election of functionaries; prestations.

2) Renovation of its Estate: by reestablishing the patrimony, and by pointing out the sources of normal income and the minimal needs which these must satisfy (worship, donations, hospitality, loans, etc.) and the proportion in which they must contribute to the general responsibilities of this sort within the clan (fraccion), tribe or Zone, and by regulating the fiscalization and administration of such communal resources.

3) Establishing Common Services, the rural and communal plan of which would meet the following requirements:

Agrarian (machinery and installation of same): tractors and plows, manure piles, fruit dryers, grain and olive mills, deposits, storehouses and silos, pasture-lands, fruit tree nurseries, reproduction plots, seed plots, etc.

Hydraulic: dams, water points, wells, irrigation ditches, water passes and small water jumps.

Trees: replanting and conservation.

Social: maintenance and improvement of paths or roads, installation in the jma'th of shelter, dispensary, cemetery, etc.

000 2. LEGAL DECISION PROCEDURE:

(Most of this section is made up of the Introduction, in manuscript form and unpublished, to La Ley Rifeña, 2a Parte--Los Cánones Rifeños Comentados, Ceuta: Imprenta Imperio, 1939)

671 A) Characteristics: (fragmentary):

1) Sources of Customary Law:

a) Voluntary Pacts: agreements or conventions which individuals or kin groups establish among themselves, in writing, toward the attainment of specific ends.

b) Qanuns: tariffs or enumerations of fines for various infractions established by the various social units.

c) Local Custom: in effect, the "national" feeling of equity which may ultimately become fused and intertwined with religious law.

B) Berber Justice, with a Hypothesis on the Survival of Custom: (fragmentary):

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177 I think it ridiculous of the Spanish administration in Morocco not to have kept the Rif from contamination by the Shari'a (Muslim religious law), which the French in their zone of Morocco and in Algeria have been able to do, among Berber populations existing in these areas[1]. ...I think that Spain, ultimately, has Arabized the Rifians through an ignorance of customary law[2].

[124] In April 1939, the late Si Hammadi nd-Hajj Sh'aib, of the local community of Zawith n-Sidi Yusif, of the clan of the Imrabdhen in the tribe of the Aith Waryaghar, told me: "The Shari'a did not intervene

671 177 124 in or interfere with our qanuns" (which I have already published) "because this had been so agreed previously. At that time, during the 'Ripublik', it only had jurisdiction over matters pertaining to land, marriage and divorce. In the clan of Sidi Yusif (i.e. Imrabdhen), there was always a qadi; but he only had to do with matters relating to property, marriages, divorces and other related items."

671 177 In my opinion, the survival of custom is clear, and it continues to be so today; and not through any lack of knowledge of Muslim law, either. What I do wonder is whether the Shari'a in the Rif is becoming Berberized, or whether custom is becoming Arabized, which is not the same thing.[3]

C) The Survival of Custom: An Explanation:

The Rifians were not and are not in the least unaware of the existence of the Shari'a, but there are reasons why they have in so many ways become estranged from it and have applied customary or common law, transmitted by tradition and revealed in not a few cases by written documents, through which they have tried many times to establish and to codify it.

A major factor here was the material impossibility, in which the Rifians found themselves, of applying Koranic precepts, owing to the constant state of revolt of the area, even though (author's italics) [175] these were reconcilable with custom...Also, we can by no means assume that throughout the recorded history of the Rif there were no men qualified to interpret the Shari'a, particularly in cities such as Badis and Nakur.[4]

671 To what, then, can we attribute the persistence of custom, to

671 which the Rifians are deeply attached, and their attempts to codify it,
(797) in spite of Islamic law?...We are faced with the hypothesis that in
(177) times past their conversion to Islam was not complete, a situation
analogous to that prevailing in other Berber-speaking regions. Louis
671 Milliot in 1926 pointed to the survival of Kabyle qanuns in Algeria[5],
648 but in the Rif this is neither the only nor the principal factor, as
there was no long period of peace in the Rif, and the lack of this
experience gave the Spanish administration the option of recognizing
an "area of custom", which in the French Zone was the main reason for
the Berber Dahir of 1930.[6]

671 In the Rif, the main reason for the non-application of Islamic
177 law would seem to lie not so much in the degree of Rifian Islamization
but rather in the constant state of revolt of the area, which would
have rendered regular and dilatory (sic!) Muslim legal procedure inefficient or inefficacious. The basic question was far more one of the
impotence of the Rifians themselves in the face of this problem, rather
793 than one of their incompetence. Under these circumstances, we may
794 imagine that fqih-s, tulba and other religious personnel were forced,
177 in order not to die of hunger, to limit themselves to making amulets and
charms for women and to writing up and registering the decisions of the
671 imqqranen, "the Big Ones", the ones who counted. For the same reason,
177 shurfa and imrabdhen were unable to do anything else except resolve
conflicts and dictate sentences, which were up to the parties concerned
000 to accept or not, as they wanted. Where, then, could one have found a
qadi who, conscious of his duty and a disinterested judge of Muslim law,

000 was capable of facing the wrath of the members of a *dharfiqth* who thought themselves to have been wronged in a legal decision and who were now blocking his path?

628 443 [671] The Rif is an area of warrior *tulba*; and the "poetry" of the Rifian Maghrib would have dealt with the firing of shots during the course of a feud or *raqba*[7] and the blood of victims whose bodies fall into canyons and gorges after sunset; for the *qanun* of the Tuesday market (now defunct) of the Aith 'Abd Allah clan establishes the validity of the agreement in question from the hours of dawn until dusk, on market day, after which time everyone shelters himself and his animals inside his house as fast as he can; and a guard is mounted with a rifle The daily and weekly truce is over[7a]. And even in Spanish times, after 628 692 671 [648] the pacification, there is the story of the *qadi* who did not dare to return home unless accompanied by a pair of armed *mkhazni*-s[8], who represented the protection of the Makhzin in its most elementary form. And in the *mahkama* (tribunal building of *qa'id* or *qadi*), more than one *qadi* has been intimidated by exasperated litigants! If such things have happened during Spanish times, threats made during the "Republik" must have been far worse--"I'll hang you from a tree, *mmis nj-haram*!" or "I wonder what you'd look like without a head, *mmis n-dhit*!"[9]

671 177 As I see it, the Rifian follows the Shari'a in all instances in which customary law cannot help him, either because it has been forgotten or because in such and such a case it is no longer applied. As he is both a practical man and a believer, there is no reason for the Rifian to deny himself the advantages of the Shari'a, but when, instead of these, he encounters a situation which is prejudicial to him (such as

671 the Muslim ruling on inheritance by women), he finds it more convenient
077 to bypass the Shari'a and invoke custom; for he will always find the
means to allay any spiritual lack of scruples he might feel through
coating his action with a veneer of pious intent (such as what is in
effect a habus in favor of men) or of humanitarianism (such as asylum
to divorced women, widow inheritance or sororate[10]), at the same time
while he satisfies atavistic impulses.

671 It is very difficult to make any sort of rigorous comparison
114 between the Shari'a and Rifian custom, owing to the great lack of data
and documents dealing with the latter.[11] I might cite a few notes
collected by del Nido[12], and some material of Sidi Ahmad bin Muhammad
ar-Rhuni, former Minister of Justice and Chief Qadi of the Spanish
Zone; but, then again, I am very doubtful that ar-Rhuni's material
refers to the tribes of the Rif--certainly none of his documents are
Rifian[13].

671 In matters of inheritance, Rifian custom elevates the condition
428 of women more than the Shari'a does, by matching them with men and
562 therefore by distributing the inheritance in equal parts instead of
171 giving women only one-third (sic); but this is only in theory, and has
to do with movable property[14]; in houses and in land, women, in fact,
671 get nothing. The basis of this distinction is not at all a capricious
428 one, but obeys to the letter the strong Rifian idea which conceptualizes
562 women as minors in age. For this reason they are given, within the
house, such work and responsibility as do not require masculine effort
or personnel, a fact which becomes apparent if one studies family
organization. Work in the fields is a masculine occupation, as is

671 428 562 housebuilding, although here women help, in return for male protection. Women are disregarded here, for in these aspects of movable property, to the formation of which, in the last analysis, they have not ultimately contributed, they receive nothing. On the other hand, in such work as befits their sex, nothing is denied them (even including cereals, for they contribute to the harvest by reaping grain with a sickle and transporting it, on their backs, to the threshing floor.) This notion is linked with the manner of acquiring property through inheritance, purchase or even through force (i.e. blood vengeance)[15]. Property gained in any other way is illegitimate, and as men are the ones who gain it, they have no reason to divide ir or share it with women.

114 113 D) Points Regarding Arabic Work on Anti-Sunna Traits (fragmentary):

I hereby review a work in Arabic by Muhammad bin 'Ali bin Brahim Aqibli Amshali al-Susi[16], dated 1342 A.H. (1923-4 A.D.), and published by al-Fatimi ibn Muhammad al-Shagadi. In this work the author exhorts 114 798 Berbers to give up practices which are irreverent and contrary to the sunna, the Custom of the Prophet, and lists those which are to be condemned, as follows:

798 796 1) Irreverent Customs at the 'Ashura:[17] Carnivals. The author rejects all forms of bonfires, of costume and of representation, i.e. imitating animals, birds, old men and old women, as well as the use of obscene words and the wearing of transparent clothes. I have myself seen all this practiced in the Rif[18]. Regarding the use of bonfires, it seems that in the Rif they are lit up to smoke the trees as a possible disinfectant[19].

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764 2) *Funeral Rites Contrary to Sunna*: the funeral chant invoking the name of God which is started up when the body is lifted up to be taken to the cemetery (and this is done in the Rif) is rejected as bad (sic). A man should not place himself facing Mecca during the funeral prayer (at the grave) (sic); nor should the body be oriented in this direction (sic) nor should its shroud be pierced (in the Rif, in Ibuqquyen, a hold is pierced in the nose of the shroud), nor can a stick be nailed perpendicularly to the grave (this is done in the Rif[20]); and the catching...in the act by someone of the body being buried or of the recitation of the *hizb*[21] of the Koran is like lighting the three lights in agony.[22]

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[769 3) *Deceits and Frauds in the 'Aid*: men should not put henna on their hands and should not shake hands with women, as this is sinful. Getting meals in the mosque is *very* bad, as are petitions (of gifts) to the *imam*[23] after the prayer of the 'Aid; and visiting the cemetery on feast days is also bad, as these are days of happiness[23a]. (In the Rif all these practices are observed[24]).

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585 4) *Weddings*: It is very bad to mark the doors of the house of either the bride or the groom with blood (this is done in the Rif[25]), and so is firing rifle shots in the bride's room on the day that the marriage is consummated[26]; so is touching the bride's clothing, or helping her mount the mule which is to take her to the groom's house, or helping her alight on arrival, or mounting the same animal behind her: and equally bad is someone showing up at the moment of union of the newly married couple or staying so near to them that he can hear them talking. Also, men playing in front of women and women dancing in

798 585 front of men[27] are also rejected, as are ululations made by the women on behalf of the groom when he enters the bride's room. (In the Bni Hmid[28], the bride is carried on the shoulders of volunteers to the groom's house; she does not, as elsewhere, ride a mule. In the same tribe, on the first day of the 'Aid, the men, on coming out of the mosque, greet the women, who are waiting for them in a line, one by one.)

E) Procedure:

692 623 Jural proceedings in the Rif are conducted in front of the jma'th, personalized by several individuals (in one qanun, that of the Imhauren of the Aith 'Ari clan, by a triumvirate) who meet daily[29] in a central location known to all; under a large tree (usually carob or wild olive), at some water point, or in the mosque. Here the men come with the iziddjifen, and the old and sick men, to sit in the sun, to talk, and perhaps to take a siesta.

695 Procedure is as follows: the plaintiff comes to the area chosen and, in most cases, both contestants present themselves there, each explaining his reasons without, however, coming to the central point. If he is a stranger, boys and villagers accompany him to the site and there they give the reason for his presence. Ordinarily the question is apt to be settled amicably right there, if it is not an important one; but if this is not the case, for example, and if one of the parties does not agree, the proceedings are extended somewhat longer, as he might request an evaluation by a specialist in such matters, or offer to provide witnesses[30] or other modes of proof; and he sets the time--or [623] one of them asks to swear. The jma'th, e.g. all of those men present (not all the men of the village nor even nearly all of them) lets the

695 623 participants speak, and from time to time, whoever wants to (there is no single judge, and all present have the right to question the litigants) barks out a question or a sentence at them, and another, and another, until, when the contestants get tired, fed up, angry or have no more to say, things get excited, as a result of the loaded questions and confused answers; a certainty pervades the air which further emphasizes the responsibility and even the judging members of the jma'th, for some abandon the defense of the man fromtheir dharfiqth or liff as impossible, while others affirm their suspicions. The first judgment is not long in being pronounced, one of the most outstanding persons of the casually organized assembly (or jury) giving it as his opinion on the matter, and the rest adhering to it. In most instances, on seeing his case unanimously judged (in his disfavor), the individual responsible yields. If he does not, new people come into play and voice their opinions. If the matter is important enough to be a case which smacks of jurisprudence,[31] the meeting held the following Friday (in the mosque, prior to the noon prayer) is devoted in part to going over it again and adding up the greatest number of opinions (pro and con)--but not votes--in order to give wider publicity to the agreement and even to take it down in writing if necessary, if so stipulated.

[212] [794] If there is written proof, any talib hesitatingly deciphers the documentary evidence, but the members of the jma'th do not let him take a trick (thus showing the power of the layman over the judge??) other than in a very discreet and impartial manner. Sometimes they agree to submit the matter to an arbiter outside the jma'th, for greater impartiality in the decision. At other times they decide to submit the

695 696 623 At other times they decide to submit the resolution to the clan council on the next market day; but when the judgment, which is both swift and free of charge, has been rendered, the individual responsible can only comply with the council's decision; and he must do so not only more than rapidly, but virtually explosively, or be sentenced by his neighbors and his peers. If he resists, his only recourse is to take up arms, as everybody else is now after him, and this in itself obliges him to do so. The proceedings are rapid and gratuitous, as aforestated, except if experts are called upon to intervene; they are given an honorarium, the amount of which is determined by the custom of the tribe in question, and consists of such and such a percentage of the value of the appraised object or the object of the litigation[32].

692 695 Thus, true jural procedure, for the Rifian, is to render public any offense or injury he has suffered, and to gain adherents to his point of view. First his family or kin group wants to intervene on his behalf, then his social grouping (properly: his lineage), and finally his *liff*, his last recourse. This multiplies the various contingencies and unsuspected turns the case may take *ad infinitum*, and tends to render useless any reclamations against an offender who is more powerful than the injured party. The latter may not take any action against him, but will often afterwards wait in ambush for him in order to redress the wrong! It is a procedure which......awakens manliness and courage.....

[671] [613] A good example of the executive procedure in criminal law is the *qanun* between *dharfiqin*[33].

000 *Bshara*, or procedure of recuperation[34]. (No text here whatsoever: translator's note.)

695 F) *Oaths* (fragmentary):[35]

In most cases, it is not the plaintiff who must prove his pre-
tensions or denunciations, but the accused, who has to justify himself
[562] if the complaint is false. There are cases in which the accused has
no defense, such as offenses against women, in which the notion of the
latter as minors comes into play. If the accusation of a women against
her assailant is sufficient to punish the latter[36], where does one find
695 more protection for the woman? Perhaps the rigor in these matters and
839 the fear of accusation by jealous husbands or fear of reprisals have
permitted to a certain extent .crimes such as rape[36a],[A] etc., which, if
not frequent, are nonetheless common enough to have a sanction imposed
upon them in defense of the common moral standard.

695 *Means of Proof*: Testimonies differ from those admitted by the
[671] Shari'a. In most cases testimony is invalid unless five members of the
[191] accused man's family (i.e. his agnates) are present to swear. They are
695 previously selected by him, but the *jma'th*, who know very well the men
623 constitute its membership, can refuse to admit any of them that it wants
[613] to[37]. In serious cases, ten members of the *dharfiqth* of the accused are
required to take oath; they are, however, not chosen by the defendant
himself, but by the *jma'th*, *among* (translator's italics) the members
of his *dharfiqth*[38].

695 Thus, if oaths are permitted as means of proof, the number of
829 cojurors varies according to the gravity of the offense; this provides
181 a greater guarantee and shows in yet another way that Rifian society is
not individual, but solid and familial; in its concept of collective
responsibility, blame or sanctions attach to the group rather than to

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[A] [This footnote was not included in the notes at the end of this section, p. 229--Analyst]

695 the individual, in most cases. It therefore seems natural that the
829 group rather than the individual (contrary to Islamic Law) proclaims
[181] its innocence[39].

695 Although written proofs are admitted, they are not common, and
212 are always submitted previously to a fqih for his consultation. Also,
(685) certain tulba were known to take advantage of their essentially notary function in order to falsify documents (one man even wrote up false Sultan's dahirs, or imperial decrees, and was jailed in Tangier!); and this did not make for any great respect of written proofs in Arabic, a language which in any case the Rifians did not understand.
[157] Even today (1935) a Rifian who possesses a document is always looking for people to translate it for him, as he is never satisfied with one man's word and always suspects that the man who drew it up for him either misrepresented him or lied to him. I have known Rifians who want to the French Zone and even to Spain in order to obtain proper interpretations of their personal papers! Only death will separate a Rifian from his r-kwaghadh![40]

695 Conciliation and arbitration are the preferential jural processes in this society, where victory is difficult and defeat is hard; and one is drawn to the idea that what actually takes place is more akin to "horse trading" than to justice, in the European sense of the word.

It seems to me that the collective oath is the Rifian equivalent of the European "word of honor", in its unadulterated sense[41]. It has
(619) a social rather than a religious significance, and, in practice, very little ritual; it is carried out in the mosque under the eye of the rival or plaintiff, and of those who were in on the secret, a sufficient action for public demerit in the "Big Ones" (imqqranen)[42]

695 action for public demerit in the "Big Ones" (imqqranen)[42]. The oath
[171] formula, haqq dil-baraka, is distinct from the Arabic formula, although
oaths are as important among Arabs as among Rifians[43]. The "Little
Ones" (imzzyanen, or minors) do not believe in this nor in anything
else, but nevertheless they follow the example of their peers and try
to limit themselves to abiding by the decisions and keeping the conventions, although they are usually not the same in both categories....
Proof of this is that if a stranger has to swear, he is obliged to do
so in places fixed by local tradition[44].

[562] Men swear during the day, while women swear at night[45]. Jews
[563] were forced to swear by going through the market with packsaddles on
their backs[46].

G) Penalties: (fragmentary):

681 Berber law does not admit the penalties which Islamic law does
[171] in order to punish crimes (sic)....Rifian law excludes corporal punish-
[697] ment and deprivation of liberty; there are no jails[49][A], and in this
respect a man's dignity cannot be degraded. On the other hand, it
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[855] tolerates maltreatment of women, but because of their status as minors,
[861] being in perpetual childhood, and incapable of taking care of themselves; in the same way, the Rifians do not hesitate to beat their
children, if necessary, in order to oblige them to follow "the right
path"[48]. Berber women have all the freedom, in truth, that they desire,
[443] and in the Rif they even have their own markets and feasts[49]. The
[574] Rifian male does all he can to protect this feminine society of minors,
and he does not enter at all within the limits of his women's social
activities.

[A], [This should read "47" not "49"--Analyst]

681 Berber criminal law admits the death penalty, pecuniary sanctions (i.e. fines), reprisal (i.e. vengeance), despoliation, confiscation and the taking of hostages; but not maltreatment, confinement, talion[50], Koranic capital punishment[51] or mutilation. I should classify Berber sanctions or penalties as follows:

1) Pecuniary or Monetary Sanctions (fines, despoliation, confiscation of property)
2) Corporal Sanctions (death, plunder, taking of strangers as hostages)
3) Afflicting Moral Sanctions (banishment, adverse publicity)

[177) It is very probable (*sic*) that the Rifians knew of other such sanctions reflected in the Kabyle *qanuns* of Algeria (such as the enforced shaving of beards and mustaches, a hirsute face being considered a manly attribute), but the memory of them has not remained [179) sufficiently clear[52]. It is very doubtful that they would ever have admitted whippings or beatings, or the cutting off of hands and feet for theft, as prescribed in the Koran[53]; for no *dharfiqth* would ever have allowed one of its members to submit to anything of the sort. Berber custom rejects punishment of this type.

The graded scale of fines is worked up according to the external manifestation of the crime, from its beginnings through its commission, and the coefficient of this scale is both the act and the consequences of the crime in question. But it turns out to be infantile (*sic*), for the manner in which the crime is committed is sanctioned rather than the basis, or the act itself. Thus, for example, from the time a man threatens to shoot a gun at someone, there is a penalty which increases until the bullet hits his adversary[54].

681 H) Sanctions: Further Notes (fragmentary):

1) Punishment: fine, exile, or death of person responsible, whether an individual or a family group[55].

[671] [672] 2) Gradation: variable, according to stipulations in the various qanuns[56]. Rifian law recognizes the same degree of responsibility in his accomplices as in the man who actually committed the crime, by assimilating them with his kin group[57].

681 613 [571] 3) Victim: receives no indemnity, except through what he or his kinsmen get as their share of the fine, which is equitably distributed among all the representatives of the dharfiqin[58], thus appearing more than anything else as a payment for services rendered; and the dharfiqin heads divided it up in the same way among their constituent nubath[59]. Thus, if the Rifian is encumbered with the responsibility of executive power[60] (all are obliged to stand against an aggressor), he still participates in the benefits of such power in a true popular sovereignty, and he never cedes his rights or duties.

000 4) Role of Jma'th in Application of Custom: to influence matters or conceal them, by money, force or politicking behind the scenes. Agrau or assembly of the aitarba'in; assessors and arbiters (tulba, shurfa and imrabdhen); role of liffs (aid to their liff-mates in payment of fines, etc.) (This subsection is completely fragmentary.)

682 In summation, three kinds of offenses were punished:

683 1) murder and woundings, with corresponding fines, and vengeance;

683 684 2) abuse of women (if voluntary on their part, each party had to pay 50 duros, and if it was purely and simply rape, the guilty man paid 50 duros);

685 3) theft, with corresponding fines, and even one of the thief's kinsmen putting out his eyes[61].

673
671 If there are certain crimes, known to all and carrying with them sanctions also known to all, which do not (translator's italics) appear in the *qanuns* (such as bestiality[52]^A, etc.), they are kept out purposely because of the shame, the *hashuma*, of those who formulate the decrees. In other instances (such as certain misdemeanors having to do with agriculture and fields), they are kept out because their inclusion is difficult and they are also sufficiently well known to and by all concerned so that they do not need to be put in. In still other cases, they are kept out because they are questions of custom which require consultation with men of laws or arbiters. Finally, these are all misdemeanors the nature of which, in one way or another, is inadequate to be put before the public in special announcements by market criers.

I) Miscellaneous Data on Fines for Lesser Offenses:

1) Among the Ibuqquyen:

224 a) *Hunting*[63]: Saturday is the day for hunting (*rayāh* or [689] *thingimarth*)[64]. Whoever does not attend pays a 5-peseta fine[65], and altercations during hunting are punished by a fine or by giving a meal to the other hunters. Animals killed do not belong to the man who kills [685] them but to the man who finds them[66]. Damages to cultivated lands are paid for by those who caused them. If it is not known who was responsible, the fine is divided up among all the hunters[67]. Any birds or eggs which are found by one of the hunters during the hunt are divided up [425] amongst them all. Any other objects found which are obviously lost articles of a third party are returned to their owners.

A,[This should read "62" not "52"--Analyst]

223 Nests and young birds are not respected, and are taken just as adults are.

224 In the mountains (Jbil) of the Aith Waryaghar, when a hunter (anigmar, pl. inigmarn) going over snow follows the tracks of an animal to a thicket or cave, he walks around it, leaving his footprints and making a circle in order to show that it is his property and that he will explore it on his return. Any other hunter or party respects this. Any animal which falls within the radius of action of the weapon used[68] is the property of whoever killed it.

671 684 b) Personal Law: If a woman accuses someone of dishonest abuse to her person, her testimony is admitted....A woman who is illegally pregnant pays 50 duros from her own property as a fine. If she was forced against her will, and the man who forced her appears, he pays. If she submitted to him willingly, he and she each pay 25 duros[69]. If she has no property, her brothers or male agnates pay[70].

685 695 c) Fine for Theft inside a House: 50 duros. If there is no proof, five adult and trustworthy agnates of the accused must swear to his innocence[71], at least if they have publicly announced in the market not to make themselves jointly liable.

688 793 d) Whoever fails to provide food for the fqih when his turn comes up to do so must pay 2 pesetas[72].

685 231 e) A herdboy who has animals stolen from him while in dhwara[73] must pay for them if he has not seen them stolen. The same holds true for injuries which the animals might suffer....Whoever does not pasture the animals of his jma'th when his turn comes up pays 2 pesetas and one loaf of bread, and has to give a meal to the person who does it for him, or to the jma'th if no one does so.

000 does it for him, or to the *jma'th* if no one does so.

684 f) Anyone who commits an act of bestiality must pay for the fodder of the assaulted animal for one day; and among the Aith Waryaghar, he must pay for its packsaddle as well as a 50-peseta fine, and he is cursed by the market crier in the market[74].....

2) *Among the Aith 'Ammarth*:

685 a) A blacksmith of....asked the *qadi* for a room to live in. It was given him, and in it he raised chickens, which began to eat the *qadi*'s barley. The *qadi* claimed compensation from him, saying that he had to kill the chickens and leave the house. He refused to do so,
685 and made a reclamation to the *shaikh*, who said he was in the right.
692 Then a member of the *qadi*'s family poisoned all the chickens, and the blacksmith complained to the *mqaddim*. The *jma'th*, as a result, met in the mosque and fined the *qadi* 18 duros, of which the blacksmith received only two or three.

582 b) In the village of Aith Finathen, clan of Aith r-Hasayin, one 'Amar nd-Hajj Sriman, a rich man, married his daughter to Muhammadi n Si Siddiq nd-Hajj Sriman, a poor man and one of his agnates (i.e. his
682 brother's son), in order to keep him as a servant[75]. The young man
[619] eventually killed his uncle. The tribal council was convoked, and its members punished the dead man's sons by imposing a 6000-peseta fine on them; and they in turn killed Muhammadi and paid another fine....During
662 his lifetime, 'Amar nd-Hajj Sriman, as well as his five brothers, had
623 on various occasions paid 400 duros to the *jma'th* to excuse themselves from participation in tribal wars.

661 c) A poor man made a goatherd of one of his younger in-laws,

661 and made him pasture the few goats he had. The *jma'th* or its *mqaddim* needed money, and so one day they called him up and fined him 65 duros, accusing his mother of incest and saying that if he did not pay up, they would tell the rest of the tribe and it would cost him more. The boy ran away, out of shame.

428 d) Muhammad Hmidu n 'Abd Allah of Aith Finathen, on the
429 death of his father, was brought up by his grandmother, and when she
685 died, by his cousins, who periodically fed and clothed him in return
for his acting as a goatherd for them. They kept and divided up his inheritance in land from his father, and did not give it back to him, in spite of the constant excitement of the *qa'id* over the matter[76].

J. *Responsibility:*

672 Collective responsibility as reflected in the *qanuns* is an
[671] amplification of responsibility to one's kin group and even...to the
same social ties as those of other tribes (*sic*)[77]; this forces one's fellow tribesmen to comply with the duty of rectifying an injury or damage caused by one of their own people. It is an instinctive and necessary means of defense, and is done so that crimes will not go unpunished. This is all a consequence of the rudimentary social organization of the Rifians, of the difficulty of inquiry, of the lack of repressive organs[78] and of impartial and dispassionate individuals, such as judges. When independent states multiply and the extension of each one of them diminishes, such factors as the above make extradition (*sic*) more difficult and impunity more easy; and, for this reason, a group attribute is the obligation to educate (i.e. enculturate) and answer for its components. Thus, when the group publicly claims that

672 it will not answer for the individual, it remains exempt from the responsibilities and aspersions which might fall upon it....A freedom or state of tranquillity (i.e. truce or even peace) which the group could thus regain at such a high price as the public denial of one of its members was only undertaken when there was good reason for doing so (i.e. when a group feared the very certain reprisals of powerful families) and when the inconveniences were greater than the advantages.

Thus it is not the individual alone who is responsible for his acts; for his family, then his *jma'th* and in the last analysis his tribe will back him up. There is always someone responsible for
[681] every crime. He never remains unpunished, nor does the penalty imposed
[671] upon him lapse, even after many years. Rifian law is not charitable and it does not beg. It punishes, but it does not pardon; it exacts, but it does not implore. Thus there is an individual responsibility with a complementary and collective one behind it.

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671 Does this responsibility, then, extend equally to all those who participate in a reprehensible act? No. There is, furthermore, the *group* (author's italics) exception already mentioned, when a group, by public announcement, rejects what could happen to it in the course of a punishable action committed by one of its members, attenuated by considerations of minority (i.e. if committed by a child or a woman), physical abnormality (if committed by a crazy person or an idiot), origin (if committed by a stranger), day or even hour of commission (see the *qanun* of the Aith 'Abd Allah, *La Ley Rifeña*, pp. 45-51), and it is exaggerated if committed at night (as in the *qanun* of Thmasind, *La Ley Rifeña*, pp. 37-44), by a stranger or infidel. There is also

671 an exemption for homicide in defense of one's property (as in the *qanun*
[672] of Lower Thmasind).

It is not possible to think of a minute dosification of laws of great instability which were usually worked out as a response to a pressing need at a pressing time and which would in turn be negated or destroyed through the rise of new chiefs. For this reason, an isolated and superficial examination of the *qanuns* says little and induces error. They are not simple and incomplete tabulations of fines. Rather, they are the codification of Rifian custom, graphically worked out only for variable matters and not for permanent ones, such as personal law with its concomitant regulations regarding inheritance, etc. They are rules of coexistence which were formulated as events demanded, and *not* (translator's italics) with long-term ends in view. But even though they are embryonic, they are useful.

The *qanun* of the Aith 'Abd Allah distinguishes between doers and accomplices[79].

FOOTNOTES:

000 1--With varying degrees of success, most so in the Middle and Central Atlas, and least so in the Sus and Anti-Atlas. The inclusion of the Algerian Kabyles and Shawdya of the Auras in this connection invites other problems.

[114] 2--Blanco is mistaken here, for the Arabization of the Rif was the work not of Spain but of 'Abd al-Krim; and in view of this paramount fact, his plea for a return to a hypothetical state of "pure customary law", however eloquently expressed it may be, seems passe and academic.

[113] 3--Hardly. In any case, this is a more difficult and delicate problem than meets the eye, although even on an a priori basis it seems reasonably safe to assume that the Arabization of custom is the commoner of the two phenomena. However, for a documented example of Berberization of the Shari'a, see S. Biarnay, "Un Cas de Regression vers la Coutume Berbère chez une Tribu Arabe: Wadras", Archives Berbères, vol. I no. 4, 1916, pp. 219-229. Wadras is an Arabic-speaking tribe, but one of indisputably Berber origin, in the Northwestern Jbala, between Tangier and Tetuan.

671 4--Most of the existing accounts of the political history of these
177 cities, insofar as it is known, are based on Ibn Khaldun, Histoire
des Berbères, translated by Baron MacGuckin de Slane, 4 vols., Paris
195 1925-56. See E. Michaux-Bellaire, Le Rif, Paris 1925; Coon, op. cit.,
1931, pp. 22-36; Andrés Sánchez Pérez, "Datos Historicos Sobre Ciudades
113 Rifeñas", Selección de Conferencias y Trabajos realizados durante el curso de Interventores, 1951-52, Tetuan 1952, pp. 29-47, and, for a synopsis account of Nakur only, Angelo Ghirelli, Pueblos Arabes y Pueblos Arabizados, vol. II--Pueblos Arabizados, Madrid: Instituto de Estudios Africanos, 1957, pp. 142-45. These last accounts have little
195 to add to Ibn Khaldun, although Sánchez Pérez was correctly able to locate the now entirely buried ruins of the city of Nakur within the village limits of Aith Bu Qiyadhen, subclan of Aith 'Adhiya within the clan territory of Aith Bu 'Ayyash in the tribe of Aith Waryaghar, on the west bank of the Nakur River some 25 km. from Alhucemas. This is
[113] confirmed by a subsequent report of Ahmed el Mekinasi, in Tamuda, Año VII, Semestre II, 1959, pp. 156-8.

The city of Nakur, in fact, has the distinction of housing the first Muslim dynasty (even though on a local level only) in Morocco, as it was founded in 726 A.D. by an Arab from the Yemen, Salih ibn Mansur al-Himyari. Despite being sacked on two separate occasions (once by Norman pirates in 859-60, and again in 929-30 by Musa ibn Abi l-'Afya), Salih's descendants continued to hold, govern and rebuild the city aided and abetted by the Umayyads in Spain, until a complete sacking by the Almoravid sultan Yusuf ibn Tashfint in 1084 ended its career forever. Between this point and the end of the 19th century, the history of the Rif is an almost complete blank, and the chances of any documentary material in Arabic turning up to bridge the gap in any way are remote.

Two points of general interest, however, emerge from ibn Khaldun's
[131] material (which dates from the 14th century and is in turn largely

175 [131] taken verbatim from an 11th century chronicler, al-Bakri): 1) that most of the present Rifian tribes (of which several, including the Bni Waryaghal, Gzinnaya and Marnisa [the last today Arabic-speaking] are mentioned by name) then occupied more or less the same tribal areas, with respect to each other, that they do today; and 2) that vis-a-vis the members of the Salihid dynasty of Nakur, they were the "barbarians at the gates", ready to help pillage the city at a moment's notice when a strong man appeared from outside, and possibly also backsliding from the new religion of Islam. We thus have evidence that the present Rifian tribes have been in the Rif for at least a millenium, and that 192 their reputation as troublemakers goes back to that time! No archaeological excavations, prehistoric, early historic or Islamic, have been made in the region at all, to date.

000 [113] 5--The paper which Blanco refers to is probably L. Milliot, "Nouveaux Qanuns Kabyles" in Hespéris, 1926; these qanuns were written up by the Kabyles in very bad French, and not in Arabic at all!

6--The Spaniards never had any option of recognizing an "area of custom" in Northern Morocco, because the fact of 'Abd al-Krim's already firm implantation of the Shari'a gave them, in effect, little or no say in [114] the matter. This is a fundamental fact which Blanco continued to overlook.

7--Raqba, literally "neck" in Arabic, "bloodfeud, vengeance" in Kabyle. [196] The proper term in Rifian is r-'adhawth (from Arabic l-'Adawa), literally "hatred", while aminghi (from Berber ngh, "to kill") is "struggle, fight, battle".

[784] 7a--Market day in the Rif is, in effect, the most sacred day in the week; the market is a place of peace and commercial transaction, and it is harim; to try to carry on a feud in the market, or to kill or wound a [682] person there is haram. The market was, indeed, so much the only place of peace in the Rif that the fine for murder within its limits was 2000 duros, double that for murder on any of the market roads. These fines were paid by murderers and/or their agnates to the imgharen and split up in more or less equal parts among the tribes or segments of tribes who formed the constituents of the market in question. Whenever a real fight started, the market was considered to have been "broken" (yarraz s-suq) for that day. Everyone attending went home at once, but the following week the market was open for business again.

8--Mkhazni: a soldier of the Moroccan government of Makhzin who is a member of a special unit, the Mkhazniya (today, since independence, Makhzin Mobile, or "Forces Auxiliaires"), and has nothing to do with the regular army.

9--These are both "fighting" words in Rifian: mmis nj-haram, literally [196] "sons of the forbidden", casts grave doubts, in the speaker's mind, about the legitimacy of the ancestry of the person spoken or referred to, while mmis n-dhit, although it might mean "son of the eye" to someone unacquanted with finer shades of meaning in the Rif, means in fact "son of the anus", and as such, it speaks for itself.

000 [128] 10--Blanco does not, in fact, employ the terms "levirate" and "sororate", and here I confess to having taken liberties with the text; but his meaning is abundantly clear. To readers who want refresher definitions, *levirate* refers to the practice of a man marrying the widow of his brother (as Coon has pointed out, in the Rif this is usually a *junior* levirate, meaning that the brother who does the marrying is genereally a *younger* brother), while *sororate* refers to the practice of a man marrying his deceased wife's sister.

[113] 11--This is indeed true, and the only published work thus far specifically dealing with any aspect or aspects of Rifian custom, aside from Blanco's own *La Ley Rifeña*, is José Maria Peniagua, "Notas Sobre el Derecho Consuetudinario de la Propiedad en el Rif", *Archivos del Instituto de Estudios Africanos*, no. 4, Madrid 1948, pp. 7-44 and ditto, *La Prescripción y el Retracto en el Derecho Consuetudinario Rifeño*, Madrid: Instituto de Estudios Africanos, 1950. Paniagua's work, particularly the last-mentioned monograph, deals with problems which seem to be almost entirely constructs of a European legal mind, and have no basis in social reality; and such work cannot be considered serious contributions to the study of Berber jural systems.

12--We cannot identify the work to which Blanco refers here.

13--The only work of Sidi Ahmad ar-Rhuni which we know is the Spanish translation of his *Historia de Tetuan*, Tetuan: Instituto General Franco, 1955, and this contains no allusions whatever, even remote ones, to Rifian custom.

671 428 171 114 562 14--This is not so. Under Shari'a regulations, women receive one-half of what men receive, in inheritance, and this is the case for both movable and real property. Granted, of course, that the point in the Rif is largely theoretical and that women in fact, as Blanco points out, generally get nothing (particularly insofar as real property is concerned), it still seems appropriate to correct this error. In any case, we have never heard of any customary variation of normal Shari'a usage, which would allot to women one-third of movable property; and neither have any of my informants. It is one-half in theory, and, as a rule, nothing in practice.

671 428 171 562 Besides the current practice of a woman's father or brothers appropriating, in effect, her share of the patrimony on her marriage (in order to keep it in family hands and to keep in-laws out), there is a second institution which reinforces the notion that women do not inherit. If a man dies leaving only his widow and a daughter or daughters (no sons), his *r-waratha* (sing. *awrith*) or remaining agnates stand to inherit, which they would not do even if he had only one son. According to Shari'a regulations, the man's widow gets one-eighth, and then, if he has only one daughter, the rest of the property is divided in half, the daughter getting one-half and the *r-waratha* getting the other. If, on the other hand, he has more than one daughter, the rest of the property is divided up into three parts, the daughters getting one and the *r-waratha* getting one. However, even if there is a son or not, certain *r-waratha* (e.g. *mmis n 'azizi*, pl. *dharwa n 'azizi*, father's brother's son), but not others (e.g. *uma*, pl. *aithma*, brother, and

671 *'azizi*, pl. *aith 'azizi*, father's brother), marry the daughter or
428 *daughters in question.* The result is, of course, that if they do so,
they wind up with the daughters' share in any case. However, although
171 father's brother's daughter marriage does occur in the Rif, it is not
the rule, and this is because the institution of *shuf 'ath* (called
562 *shafa'a* by Berbers in the Central Atlas, and referring to agnates prior-
ity rights over both land and women, especially fathers' brothers'
daughters) in the Rif applies to land only and not to women. Indeed,
[582] there is no single form of preferential marriage, and most people be-
lieve in marrying "further away" than their parallel cousins. As, on
the other hand, parallel cousin marriage *is* the norm in the Central
Atlas, the same institution there (where *r-waratha* are termed *imkusa*)
is more effective in depriving women of *their share* than it is in the
Rif, where conditions *per se* in the latter area are considerably less
favorable to such *deprivation.* The crux of the matter, perhaps, is
this: that the property of a man who leaves no sons, despite what
other heirs or offspring he may have, is always divided up among these
heirs (and here, in practice, is where daughters tend to be left in
the cold, even though informants invariably say that they get their
part), while on the other hand, if there is a single surviving son,
no matter if he is a tiny baby, the patrimony stays *pro indiviso*.

000 15--What Blanco seems to be getting at here is that men rather than women inherit and purchase property, or acquire it by right of conquest, and that therefore property and its administration rests exclusively in male hands. The contrast is effective, because such movable property which is involved in the work and everyday tasks of women (i.e. pottery, chickens, eggs, etc.) does belong to them, and is not touched by men. Men, for example, may perfectly easily sell chickens or eggs in the market, and they often do so; but they invariably turn the proceeds over to their wives, who have stayed away from the market as good women should (although they may go to the women's market two days later) and because of this have asked their husbands to do these things for them.

16--From his name, a Berber himself, possibly from the Sus (as his final sobriquet would suggest), but more likely from the Ilimshan subclan of the southern Ait 'Atta, the so-called 'Iqibliyen" of the southern slope of the Central Atlas. These facts are indicated in the first and second point-of-origin designations *Aqibli Amshali*, the last mentioned probably being a metathesis of *Alimshi*, an Arabized singular form of *Ilimshan*.

17--The *'ashura* refers to the 10th day of the first month of the Muslim year, *Muharram* (itself called l-'Ashur in Morocco), and commemorates the martyrdom of the Prophet's two grandsons, Hasan and Husayn. It is also, in Morocco, the day when almsgiving (*zakah* or *'ashur*) to the poor is legally enjoined; this act is, indeed, along with the profession of faith (*Ashhadu an la ilaha illa 'llah wa Muhammad al-rasuluY'llah*, "I testify that there is no god but God and Muhammad is the Messenger of God"), prayer five times a day, fasting during the month of Ramadan, and the pilgrimage to Mecca, one of the five *arkan al-din*, "pillars of religion", or *qawa'id al-Islam*, "customs of Islam".

000 18--These carnivals are impromptu affairs put on particular feast days ('Ansra, 'Aid l-Kbir, but not on 'Ashura as far as we know) by the people themselves, who are given the name *ishwiyikhen* when they dress up. A full description may be found in Coon, op. cit., 1931, pp. 152-4. [114] Such carnivals still occur among the Igzinnayen, and possibly among the Ait Tuzin and Thimsaman as well, but are (and were) unknown among the Aith Waryaghar, contrary to Coon's statement regarding their distribution.

[755] 19--The lighting of bonfires was practiced all over the Rif on the day of the *'Ansra*, or summer solstice festival, on June 24 (Julian, or agricultural, calendar); women and children used to jump over these fires to cure themselves of any ills. The custom was, however, looked on very much askance, if not actually outlawed, by 'Abd al-Krim; and no one indulges in it today, although it seems that the mountaineers of the subclan of Timarzga in the Aith Waryaghar followed it as late as 1950.

[114] 20--The shroud of a corpse is not pierced in any way in the Rif, nor is a stick nailed perpendicularly to the grave. Perhaps what is meant in the latter instance is the Rifian practice of placing the footstone of a woman's grave perpendicular to the headstone, to differentiate it from a man's grave, in which both stones are parallel to each other.

21--A *Hizb*, pl. *hizib*, is one of the 60 subdivisions of the Koran.

[796] 22--In the muslim year, there are two feasts called *'aid*: the *'Aid s-Sghir*, or "Little Feast", which occurs just after Ramadan, and the 'Aid l-Kbir, or "Big Feast", on the 8th through 10th days of the last month of the year, the Dhu l-Hijja. It is to the 'Aid l-Kbir that the text refers here. These three days are those when pilgrims at Mecca [788] undergo the rites of pilgrimage, and when Muslims all over Islam must [782] sacrifice a sheep in commemoration of the sacrifice by Abraham of his son Isaac.

23--An *imam* is a prayer leader in the mosque, who stands before the congregation.

[796] 23a--On the day before 'Aid l-Kbir (i.e. day of 'Arafa), women visit cemeteries and take food with them, which they eat there, while the men go to the tomb of Sidi Bu Khiyar (an *amrabidh* of Algerian origin, from Tlemcen, who is buried in Bu Ma'dhan, in the subclan of Timarzga, at the highest point--1930 meters--in the whole tribe of the Aith Waryaghar). While there, they watch the litany and ritual of the religious 6 brotherhood of the 'Alawiyin, after which they distribute alms to the *tulba* (who attend in droves), pray en masse, and go home to sacrifice their sheep the following day (the 'Aid l-Kbir proper) in the bosoms of their families. See our article, "An 'Imarah in the Central Rif: the annual Pilgrimage to Sidi Bu Khiyar", *Tamuda*, Año V, Semestre II, 1957, pp. 239-245; my report is based on field notes taken at the ceremony itself in 1955.

[114] 24--This is not so. Women visit cemeteries on feast days, but that is all.

25--It is not.

000 26--During the Republik, when the bridal party arrived at the groom's
house, after dismounting his sister from the mule she was riding, the
bride's brother went into the room that she was to share with the
groom and fired a shot in it in order to get rid of any evil magic
which might have been there. This is not done today; and in any event,
[178] as firearms have been forbidden since the days of the Spanish adminis-
[656] tration, people have been throwing firecrackers at weddings for the
last 30 years or more.

[562] 27--In the Rif, women dance for men, never with them.

[535] 28--We do not know just which Bni Hmid is meant, for there are two
[114] tribes of this name: Bni (or Aith) Hmid, in the Sanhaja Srir west of
the Rif, and Bni Hmid s-Surraq ("Bni Hmid the thieves"), in the Jbala,
the second generally being considered to be an offshoot of the first.
As the first falls into the boundary of the old Spanish Territorio del
Rif (now Province of El Hoceima) of which Blanco was administrator,
it is probably the group he means.

29--Not daily, but whenever they feel the need to do so, about once or twice a week.

30--In Berber law as elsewhere, the testimony of witnesses puts the seal on the defendant's guilt.

31--What Blanco probably means by this European legal circumlocution is any case which cannot be decided on the spot.

[685] 32--After a man accused of damages to a field or irrigation ditch belonging to another person admitted his guilt, the injured party called in the aquwwam or agricultural expert, who assessed the damage and was paid one-third of the fine money by the owner of the field or ditch.

33--Quoted in extenso in La Ley Rifeña, op. cit., pp. 21-8. The qanun in question comes from the tribe of Aith Waryaghar, and involves several lineages of Tazurakhth, in the subclan Aith 'Adhiya, clan of Aith Bu 'Ayyash.

34--The original meaning of the word is "announcement, good news". In jural-legal terms, it refers to a small sum of money (rbsharth) given by one man who has lost some article to another to watch out for it.

35--Collective or plural oaths, perhaps more than any other institution,
are the touchstone of the Berber judicial process. It is unfortunate
that available sources on this crucial subject are so few and far between.
The French, who underwrote Berber customary law with every means at
[648] their disposal, fostered, protected and encouraged the institution of
plural oaths; but after independence in 1956, the new Moroccan adminis-
tration did away with custom and oaths in one fell swoop.

[113] Rifian oaths have not been in existence since the Ripublik. The
only published reference to them, and it is a most inadequate one, is
in Edward Westermarck, Ritual and Belief in Morocco, 2 vols. London:
Macmillan, 1926, vol. I, pp. 513-4.

36--A man accused by a woman of attempted rape had to swear to his innocence, but without cojurors, even during the Republik.

000 [114] 37--The *jma'th*, contrary to Blanco's statement, had absolutely nothing to do with the selection of cojurors by a man accused of a crime. He selected them himself, among his agnates, and if he did not have enough to fill the full complement, he got the remainder from that neighboring *dharfiqth* which was most closely related, patrilaterally, to his own.

695 [114] 38--The accused always chose his own cojurors, and here Blanco has made a serious error. An even more serious error, and one which appears to us almost classic among French writers on the subject, is a persistent tendency to confuse cojurors (*izudjen* or *yuxshin n rimin*) with witnesses (*rshuhudh*). The distinction between the two should be obvious to anyone, but apparently it has not been: if there is a witness or witnesses to any crime (and the Shari'a states that there must be either 12 ordinary witnesses or 2 *'udul* or notaries public, the testimony of one *'adl* being worth that of six ordinary men), there is, *ipso facto*, no oath; for the accusatory testimony of witnesses always (quite naturally) overrides the denials of the accused and his cojurors. Furthermore, though the number of witnesses and the number of cojurors (in a murder case) are exactly the same, there is another paramount difference between these two categories of persons, wholly aside from the fact that the function of the ones is to accuse and that of the others is to deny: witnesses had to come from a different lineage or different lineages from that of the accused, while the cojurors of the latter were his agnates and thus his fellow lineage mates, *aithmas*, "his brothers", or *aith 'azizi*, or *ibin 'azizithen*, "the people or sons of his paternal uncles". The fact that the same number of individuals, twelve, was needed in each case may or may not have been fortuitous; but, in any event, it seems of entirely secondary importance.

A summary recapitulation of collective oaths (*thzaddjith* or *rimin*) as practiced among the tribes of the Central Rif will not be out of [692] place. First of all, if one man accused another of any crime or misdemeanor, and the accused man denied it, they both agreed to go to their cantonal or Friday mosque, or any other mosque named by the plaintiff (*izidjith*), on the following Friday before the noon prayer so that the accused (*izudj* or *yuxshar n rimin*) could take oath. The plaintiff, furthermore, stipulated how many cojurors the accused should bring with him.

It appears that the number of cojurors was almost always either six (the accused himself plus five agnates) or twelve (the accused himself plus eleven agnates), the former amount of men being required in less important matters, such as theft of irrigation water or of livestock, or damage to the accuser's property, and the latter in cases of murder, [114] as aforementioned. (When Blanco says five and ten, respectively, he is in error as to the exact amount, but correct regarding the proportion and the doubled number in suspected homicides.) Twelve was ordinarily the maximum number of cojurors, and murder the maximum offense necessitating this number, among the members of one tribe; but if an oath involved members of two different tribes, over matters such as large scale land disputes involving tribal boundaries, or intertribal murder cases, the number of cojurors which the accused had to bring was elevated to fifty (the defendant plus forty-nine agnates or fellow clansmen or tribesmen, the latter being far more ready to help out one of their own men in an extra-tribal crisis than in an intra-clan or even an intra-

695 tribal one). To be able to swear, a cojuror had to be old enough to fast during Ramadan (i.e. to have attained puberty); and women did not swear.

The plaintiff had to be present at the mosque (and each tribe or clan generally had at least one mosque at which it was customary to take oath) when the accused and his cojurors arrived. When the latter arrived, they removed their footgear and weapons, as the plaintiff had
(793) done before them. Then the fqih of the mosque asked them what they were going to swear; they told him; and he made each one of them repeat it on the mushaf (Koran) after saying the oath formula "Bi-llahi alladhi la ilaha illa huwa!" (With God, of whom there is none other than He), the accused swearing first. The accused placed his right hand on the mushaf while taking oath, and each of his cojurors, in turn, did the same.

There were, however, instances in which the mushaf was not employed as a vehicle for swearing; and some say that these instances were more the rule than the exception, and that in them the oath formula was re-
695 stricted to "Bi-llah" (With God) only. Others deride the practice and say that it was followed only by "ignorant people"; but, even so, the
184 mere fact of its existence tends to place Rifian oaths at more or less of a midpoint between those in the Sus and Western Atlas, where the
171 mushaf was always, without exception, employed, and those of the Middle and Central Atlases, where it was completely unheard of. It is in the latter areas that Berber oaths in Morocco reached their greatest purity and complexity. However, it should be said that in the Rif, unlike the Central Atlas region, the fqih, if the need demanded, repeated the oath as many times as was necessary for all the cojurors to understand it and say it after him; whereas in the Central Atlas, a different official, the anahkam, only repeated it once (the formula there was, in addition, more complicated than the Rifian one), and if any cojuror tripped up over it or got it wrong, the oath was broken; and the same applied if any of a group of assembled bystanders, whose function it was, in effect, to heckle the cojurors, succeeded in making him falter or stumble over the words, by yelling "'Auh! 'Auh! 'Auh!" (In the Rif, there was no such heckling, even though oaths, for obvious reasons, had to be taken publicly.) A further distinction was that in the Central Atlas, all important oaths were taken not at mosques, but at saints' tombs. There were many other differences in detail as well, such as number of cojurors required for various offenses and in the ramifications of the question of who pays in the event that some cojurors were either recusant or missing; but finally, and perhaps most relevant of all, the oath system in the Rif, encompassing fewer tribes and far less territory than in the Atlas, showed a far greater tribe-to-tribe uniformity.

695 To return now to the oath itself: after it was taken, the fqih,
who had witnessed it, drew up a document (tibriyith, "letter") in
793 Arabic certifying that the defendant, whom he named, had sworn on such
and such a date to the effect that he had not committed such and such
212 a crime: he (the fqih) then appended the names of the latter's cojurors, as well as that of the plaintiff. Finally, he gave this document to the defendant so that the latter could produce written evidence of his innocence.

695 [784] It was, and is, universally believed that anyone who perjured himself at oath would suffer dire consequence; either he, or some member of his family, or his livestock, would be struck dead or blind or dumb by God shortly thereafter, or, if not, that some other almost equally awesome calamity would befall him; and informants cited numerous examples. And: if either the accused or any of his cojurors failed to turn up at the mosque to take oath at the time stipulated (without a valid excuse for not doing so), it was the accused who had to pay the fine for whatever damages he had caused the plaintiff, as his nonappearance was sufficient proof of his guilt. [184] [171] The same was true if one or more of his prospective cojurors refused to swear with him; unlike in the Central Atlas, he could not obtain substitute cojurors, through sacrifice--the Rifian oath system was simpler and more inflexible. And if, of course, the plaintiff failed to show up, there was no oath at all. The accused or any of his cojurors could, however, be legitimately excused (as could the plaintiff) in the event that they had been unavoidably detained or prevented from appearing through illness, etc., in which case the oath was postponed until the following Friday or until such time as the individual in question was well enough to swear.

000 [114] 39--Here Blanco contradicts a previous assertion he made by saying that in this instance Islam and customary law are at one, and that the former puts the responsibility on the individual (which is true as far as oaths are concerned, but highly questionable in many other respects), while the latter puts it on the group!

[157] [181] 40--Blanco develops, and very amusingly, his ideas regarding the Rifian and his perennial mistrust (*shimta walu*, WALU CONFIANZA!) of his fellow man and of the world around him in a series of humorous papers (*Analisis Espectral del Rifeño*, *Hospitalidad Rifeña*, *La Garrota Berberisca* and *Del Gesto en el Islam*), all unpublished, which most unfortunately cannot be fitted into the framework of the present compilation.

[171] [577] [114] 41--This is very true; but only in part, for where the author's notion bogs down is in the simple fact that the European "word of honor" is essentially conceptualized as individual rather than collective. One may, to be sure, speak of a "national word of honor", among Europeans, but again this is personified individually through heads of state, etc. Thus, phenomenologically, the European "word of honor" and the Berber collective oath are two rather different kettle of fish, despite a certain parallelism in their objectives.

[114] 42--Blanco's meaning is not quite clear; but, if we understand him aright, why should the *imqqranen* have either depreciated the value of collective oaths or themselves be depreciated in turn for having to swear? If a defendant can legitimately get powerful and influential cojurors for himself, so much the better for him; but then again, in the Rif, an *amghar*, though respected by his own constituents, was considered no less bullet-proof than anyone else by his enemies....When Blanco refers to "those who were in on the secret", he presumably means "cojurors".

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[114] 43--There are several errors here. First of all, the oath formula is not as Blanco gives it at all, but Billahi alladhi la ilaha illa huwa, as discussed in note 50. Secondly, this is the recognized formula for oaths as given in the Shari'a, and as such, the Arab formula as well. Thirdly, although it is quite true that oaths are as important among Arabs as they are among Berbers, the Prophet Muhammad, in effect, "decollectivized" them among his Hijazi constituents much as 'Abd al-Krim did among Rifians--for the collective oath, far from being an exclusively "Berber" institution, was current in pre-Islamic Arabia. Blanco fails to distinguish between the singular character of the Shari'a oath and the plural character of the oaths of certain nominally Muslim societies whom the Shari'a, in some respects, has not quite reached.

44--This is in no way remarkable, for it is up to the plaintiff not only to demand that the accused take oath, but to stipulate when, where and with how many of his agnates.

45--Men certainly swear during the day, in fact on Fridays just before noon; but women did not swear during the 'Ripublik', although today they may do so. However, they must do so not at night but during the day, and at home, not in the mosque, although their oaths, like those of men, must be made on the mushaf.

[463] 46--A Jew accused of a crime against a Muslim or against a coreligionist was, indeed, forced to walk around the market with a packsaddle on his back, and to swear in this fashion, for packsaddle-making and silversmithing are the two traditional occupations of Jews in northern Morocco; but he took the oath itself in the synagogue.

47--There were no jails in the Rif until 'Abd al-Krim introduced them; he had three, at Ajdir, at Aith Qamra and at Thmasind, all in the Aith Waryaghar.

48--The Koranic sirat al-mustaqim, as given in the Surat al-Fatiha, the opening chapter of the Muslim Book.

[178] 49--This is true, but not quite for the reasons given. Women in the Aith Waryaghar have their own markets in order to keep them secluded from strange men and because it is shameful for them, and indeed forbidden (although this is beginning to break down today) for them to enter ordinary markets. The same goes for their "feasts": they visit [165] saints' tombs and cemeteries on Sundays, as a rule, when they know no men will be there.

[114] 50--This is a contradiction in terms. If Berber law admits blood-vengeance (which is in any case excessively common in the Rif), why does it not admit talion?

[114] 51--Again, a contradiction in terms. If the death penalty is admitted, as Blanco says, why not capital punishment? In actual fact, although murder and feuding were the rule, the death penalty per se was rare: the only instance I can think of (outside of cases in which it was inflicted by 'Abd al-Krim during the Rifian War, and administered by his huffadh or personal bodyguard, who tied the offender backwards on a donkey, paraded him around the market three times while the crier made his crime public, and then stood him up against the wall and shot him) is that in which a man kills another in a market and is caught by the

000 latter's kinsmen before he can get away. Even in this case, the killer could generally get off if he were able to pay a 2000-duro fine (*rhaqq*) to the *imgharen* on the spot, if he was lucky enough to be caught by them and not by his victim's agnates.

[114] [464] [167] 52--Why should the Rifians have been acquainted with the *qanuns* of the Algerian Kabyles? Granted that Rifian labor migration to Algeria, prior to 1955, was very extensive, it must be remembered that Rifians went to the plains and vineyards of western Algeria (not to Kabylia) to work and send remittances to their families, not to compare notes with their fellow Berbers in Kabylia!

53--This is entirely true, though we know of one case in which, in 1926, after 'Abd al-Krim's defeat, a man from one of the mountain clans of Aith Waryaghar was beaten to death, by order of a lowland *qaid* from the same tribe, for refusing to hand two rifles in his possession over to the Spaniards.

[171] 54--In the Central Atlas, half *ddiyit* (blood money to victim's agnates) is paid by a man for shooting at someone else and missing him, but full *ddiyit* for taking aim and not shooting (E. Gellner, "The Concept of Kinship", *Philosophy of Science*, vol. 27, no. 2, 1960, pp. 187-204.) In other words, what is punished is the *intent* to kill, and on this subject Blanco has some interesting remarks to make in the chapter on the *qanuns* of Dhmasind and of Aith 'Abd Allah in *La Ley Rifeña* (pp. 41-3, 47, 50). In the Rif, however, this is manifested in a different way under different circumstances: *ddiyith* is paid to the victim's family, under normal conditions, by the killer, who must also pay *rqisas* to the victim himself in case of wounding. The amount of the *ddiyith* is anything up to 1200 duros, while that of the *rqisas*, depends on the nature of the wound. However, there is no question at all of either *ddiyith* or *rqisas* being paid if the intended victim has not been harmed. This is the case if the attempted murder has taken place outside the market; but if it has taken place on market day and within the market (even though there is again an exemption from *ddiyith* and *rqisas*) the *rhaqq* or market fine must be paid in full (2000 duros) to the *imgharen*, because the would-be assassin is an *amsasar* (pl. *imsasaren*) or trouble-maker who has knowingly tried to "break" the market by flouting its regulations.

681 682 696 55--In case of murder, only the murderer himself went into exile. He did so immediately after the crime, so that he would not be killed in turn by his victim's agnates. Exile meant that he sought refuge, as an *adhrib* (pl. *idhriben*), (derived from Arabic *talib*, "enemy") in the territory of another tribe, whose members sheltered and protected him until such time (if ever) that he could go home. On occasion, as [613] Blanco suggests, whole lineages have been forced into exile; Coon, in *Flesh of the Wild Ox* (pp. 74-108), gives an example from the Igzinnayen. However, this particular instance was the result of a decree of the *Aitharba'in* after a long and bitter feud; and as such, it was exceptional. The rule was that only the murderer fled; he was not accompanied by nine of his agnates, as in the Central Atlas (even though these latter returned after three days in order to start making overtures for payment of *ddiyit* to the dead man's agnates).

681 A murderer in the Rif had to stay in exile until such time as his
682 victim's family would consent to accept bloodmoney, and this generally
meant at least one or two years, by which time their desire to kill
696 him might have cooled down. If they were eventually persuaded to accept
this sum, the murderer's own agnates, at home, went to them and, in the
[782] presence of a holy man, sacrificed a goat to them. After the goat was
eaten, the terms of the ddiyith were discussed and arrived at; and only
after it was paid could the murderer return home. Furthermore, if he
682 had committed his crime on a market path or in the market itself, on
443 market day, as aforementioned, he had to pay an entirely different sum
(which Blanco often confuses with the ddiyith), the rhaqq or market fine
[114] (called r-insaf in the Eastern Rif), consisting of 1000 duros for murder
on a path leading to the market and 2000 duros for a murder or any other
offense grave enough to upset the peace of the market, in the market
itself. This fine was only levied on market day, and payable to the
imgharen of the market. (If a murder was committed away from a market
path or from the market on a day other than market day, there was no
question of fine-paying, which was instituted purely to keep peace in
the suq.) It could be paid in money and/or in kind, and it usually
meant that the murderer had to sell the bulk of his property to raise
the necessary sum, which he handed over at the same time as he did the
ddiyith; but if he could not or would not pay it (and it was a sum
which was prohibitively high), the imgharen descended on him in a body
and burned his house, trees and fields. In addition, many people re-
682 fused to accept the ddiyith, which meant permanent exile for the mur-
628 derer. The imgharen, however, could not touch his property as long as
he was in exile; though he was expected to pay in full if his victim's
family relented and let him return. However, a murderer whose opinion
of himself was so elevated (and there were many such in the Rif) that
he refused to flee, refused to pay the ddiyith to the dead man's ag-
nates and (perhaps worst of all) refused to pay the rhaqq to the
imgharen could expect no mercy; he was attacked by the enraged kinsmen
of his victim and by the council members whose authority he had flouted,
as well--and the feud was on. His own agnates, under these circum-
stances, if they helped him (as they always did) could also expect to
have their own houses and property burnt to cinders.

681 56--There was some variation for minor offenses, but the fines for
682 murder, always with the same careful stipulation of time and place of
commission (market path or market on market day) were absolutely stan-
dard throughout the Central Rifian area.

[671] 57--There is some disagreement on this question. In the qanun of the
Aith 'Abd Allah, cited by Blanco in La Ley Rifeña (p. 47), it is ex-
(114) pressly stated that if two people commit a murder on a path leading
to the market, each of them is fined 1000 duros. Our own informants,
[024] however, stated that the number of people participating in a murder is
immaterial; what counts is the number of dead, each one of whom is
[628] assessed at either 1000 or 2000 duros, always according to where the
murder took place, a head. In the same way, after a feud is over and
a truce has been arranged, the number of dead on each side are counted
up, and the side with the greater number receives excess ddiyith from

681 the side with the lesser. (This last piece of information comes from
682 some of the lowland clans of the Aith Waryaghar, and the highlanders
[628] of the same tribe deny it.)

000 58--The victim, if he is alive, receives the *rqisas*, and, if dead, his family gets the *ddiyith*--if they choose to accept it rather than take up their guns. It is barely possible that in the division of the *rhaqq* by the *imgharen* along segmentary lines, the victim's family might receive a tiny fraction of the total, although the chances are strongly against it. The *rhaqq* almost always goes into the pockets of the *imgharen* themselves, and when we say that it is divided along segmentary lines, what we mean is that it is the *imgharen* of each segment and subsegment, rather than the rank-and-file of either, who are the real beneficiaries.

However, this is not really the point, which, in any event, Blanco
[682] has missed entirely. The point is that a murderer pays bloodmoney to
his victim's agnates and a fine to the council members (the latter only if the murder has taken place in the market or on a track leading to it).

[114] 59--Blanco is theoretically correct in saying that *dharfiqin* distribute their share of the fine to the *nubath* making them up (although in practice this almost never occurs, as the money which filters down, through the normal process of division, goes no further than the lineage heads!); but it is surprising that he does not start at the top levels of segmentation, the clans, as the *imgharen* themselves did, and work down from there (though even at this level the *imgharen* tended in practice to pocket the fines).

[114] 60--In this term, *el poder ejecutivo*, once again, we have a formalistic European notion, which, though certainly accurate in one sense, nonetheless ill befits the essential informality of the tribal council members who convened in the market to discuss the week's happenings and to assess, equally informally, any cases which came to them.

61--It may be stated categorically that such Qur'anically-inspired punishments as putting out a thief's eyes were completely unknown in the Rif and in the rest of Berber Morocco.

[839] 62--Though it is probably of frequent occurrence elsewhere, bestiality
is not common in the Rif, and those who do practice it are always the
object of derision. Furthermore, the Rif is probably one of the few
[838] regions of Morocco where homosexuality is nonexistent.

[113] 63--These notes of Blanco's on hunting are extremely fragmentary; for
fuller information on Rifian hunting practices, see the final chapter
in *La Ley Rifeña* on the hunting *qanun* or *qanun r-rayah*, as well as a
recent summary of the same material in R. P. Esteban Ibáñez, "El
Derecho Consuetudinario en la Sociedad Bereber", *Institut International
de Sociologie, XVIIIe Congrès*, Nuremberg, 16-17 September 1958
[114] (mimeographed). Our own impression of Blanco's data on hunting is that
although very complete, his description is at the same time unnecessarily
complex.

64--In the Jbil of the Aith Waryaghar, hunting may take place on any day of the week.

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65--In the Jbil of the Aith Waryaghar, hunting is entirely voluntary, and those who wish to hunt on a certain day go off in a group to do so.

66--In the Jbil of the Aith Waryaghar, the catch is invariably divided up equally among all the hunters present; and this holds true even if there are twenty hunters and all they catch is one rabbit amongst the lot of them.

67--As the catch is equally divided, so possible fines incurred are equally shared.

[411] 68--Usually a long stick, called r-mitrag, which is bound with copper
wiring, and which Rifians can throw with incredible accuracy, killing
birds on the wing with it, etc. Rifles were sometimes used to hunt
rabbits during the Republik, but seldom, because cartridges were ex-
[648] pensive and could be used to better advantage on one's enemies. Since
1926, firearms have been prohibited in the Rif; for the Spaniards,
[656] and their Moroccan successors, thought and think that the combination
of Rifians and rifles was and is too dangerous to leave alone!

The radius of action of a throwing stick is not measured in the
mountains of the Aith Waryaghar, although hunters there generally
wait until an animal is up to five meters ahead of them before throw-
ing, because if a rabbit's face is smashed up by a blow from a
r-mitrag, the hunter who threw it is accused by his fellows of being
[124] a poor shot. My informants state, furthermore, that what Blanco says
above is false, because of the invariably equal division of the catch.

[114] It is always customary to pronounce the formula "B-ism-illahi
r-rahmani r-rahim!" (In the name of God, the Merciful, the Compassion-
[188] ate) before throwing at an animal, as this renders it halal (i.e. per-
mitted to be eaten); but generally, if an animal is found dead, it is
thrown away.

Hunting with ferrets (nims, pl. inimsan) as well as trapping (dhakhshifth, "trap") are also common. The owner of the ferret gets the head of any animal captured by it; and the owner of a trap has the right to any animal he finds there, although if it is inedible or tabooed, he throws it away.

[114] 69--This is a contradiction of a previous statement by the author, in which he says that each party must pay 50 duros.

70--This, of course, would almost always turn out to be the case (vide
[593] remarks on inheritance of property by women).[A] What Blanco does not say,
however, is that her brothers would probably kill both their sister and
[848] the man in question, especially if she became pregnant.

71--This means, as mentioned in note 50, six cojurors (the accused and five agnates).

72--This was in the Republik. During Spanish times, a person was fined 5 duros (25 pesetas) for failing to take food to the fqih, and since independence the fine has been doubled to 500 Moroccan francs. Even in the Rif, the cost of living has gone up!

[114] 73--The dhwara concept of sending out a different shepherd or goatherd every day to pasture the animals of the jma'th by turn has never existed among the Aith Waryaghar.

[A] [For information on the inheritance of property by women, see pp. 207-208--Analyst]

684 554 203 626 74--In the Aith Waryaghar, anyone who indulged in bestiality became the object of extreme derision; and as a market crier himself is a person of very low social standing, this in itself would have rubbed more salt in the wound.

000 75--Marriages with parallel cousins occur, but they are uncommon. In this particular instance, there was a good reason for it, as Blanco points out.

[671] 76--These cousins, again as indicated in note 17, were the boy's r-waratha, who could normally have inherited only if the boy's father had either died without issue or if he had left a daughter or daughters only. It is un-Qur'anic enough for the r-waratha to appropriate, as they often try to do, a daughter's share of the inheritance as well as their own, but for them to take over a son's share is expressly forbidden by the Shari'a, and may be regarded, in this instance, as the purest personal aggrandizement.

[114] 77--This should probably read "to one's tribe", as the notion of other tribes hardly enters the picture here. Except under an 'Abd al-Krim, how would it have been, or be, possible for a man of the Igzinnayen, for example, to feel any responsibility for a man from the Aith Waryaghar? This error may be due to a typographical error in the original text.

[682] [114] 78--One could hardly label a sanction of 2000 duros for murder committed in a market as indicative of "lack of repressive organs". It is statements of this kind, which continually crop up, that, in conjunction with numerous factual errors, cast a small but ever-present cloud over Blanco's work, and mark him as an amateur ethnologist.

79--See La Ley Rifeña, pp. 47, 50.

3. COUNCILS, WARFARE AND ALLIANCES

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A) The Agraw:

The agraw is a meeting or convening of all the adult Rifian males in a clan or tribe who are capable of supporting their opinions by force of arms. It is an assembly of all men who carry rifles, and it has almost unlimited attributes, among which the major ones are:

a) Declaration of war and of all that this embodies (organization of attack and defense, organization of harka-s or war-parties, contingents which are levied up for distant expeditions, and establishment of agreements of friendship or alliance with neighboring tribes).

b) Guarding the security and honor of its component family and kin groups (making common cause with them, supporting them with force if necessary, and acting as mediators); thus, when the interests of any individual or of his kinsmen are harmed, and he is incapable of defending his rights, the councilmembers claim the resulting damages in his name, and, in order to obtain them, they either very soon have to take up arms, or wait and work out an alliance with other igrawn, or convoke the agraw of the group one step up the ladder.

The agraw may be on a village (or hamlet), "fractional" (or clan), or tribal level, and the only difference between these three levels lies in the number of councillors who attend the meeting on each one....The agraw is convoked by mqaddimin or shiyukh[1]; by word of mouth, [202] by arqqas or messenger (gunshots by day or bonfires--thafgirth, pl. thifgirin--at night, in case of alarm, and in both instances by cries transmitted from hilltop to hilltop, from village to village, and from mountain to plain).

634 Every man who carries a rifle drops whatever he is doing and
623 goes immediately to the council site, leaving his house, interests and
614 work in the fields to his women, who collect all their movable property,
619 animals and children, in case they have to move, and await the news,
562 quickly transmitted, with anxiety, while they decide upon their place
722 of retirement (usually the house of some relative) and form a line of
sentries, together with the older children. Here they follow, with
analogous emotions, the events of the fight, if there is one, and
634 await its outcome....Once the men have arrived at the site of the
623 alarm, or more often at a generally determined meeting site (*agraw*),
614 they start to look, without orders or signals, for their kinsmen and
619 neighbors who have arrived or are just arriving. They are always
careful to seek a spatially dominant position, and remain grouped together some little distance from the other groups which are also being formed, completing a circle, in the interior of which only the chiefs, who are rapidly informed of the matter and of the opinions of their subordinates, may enter. Such opinions are impassioned ones, as they have been forged (in case of alarm) on the spur of the moment, on the basis of what those who echo them have heard, or on the basis of what is going on around them; one can distinguish the feverish voices of the kinsmen and friends of the injured party, who want immediate reparation.

634 In this heated atmosphere the delineation by the chiefs of the
623 matter at hand begins; they are attentive not so much to what happens
614 in their own little circle, but to the stormy atmosphere being created
619 on the outside one and pressing in on them....If the matter is one of
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634 623 614 619 692 681 If the matter is one of imposition of a fine, the deliberations are rendered longer, through haggling, and more methodical, because in such an instance custom decrees that half of it (i.e. the fine) goes to those who impose it, the chiefs within the small circle, and the other half, to the injured parties and their kinsmen (the sector, or the whole big outside circle).[2 & 3]

1) **War**:

634 619 614 623 628 721 a) **Declaration**:--War surges up frequently from agraw meetings; at times, a meeting terminates in rifle shots. This may not be a very politic declaration, but, equally, it is not ~~a~~ very rare one. ....Ordinarily, the separation and departure of those who have come together and convened at a council meeting without having arrived at any agreement is considered tantamount to a declaration of war, which all the threatening components hastily retire in order to prepare.... Only the later intervention of new emissaries can put off hostilities. This in itself is uncommon, because from the moment the meeting is theoretically over, disputes and quarrels begin in fact, and the life expectancy of such emissaries would thus become extremely slight.

628 721 b) **Fighting**:--Usually the plan of attack is instinctive, logical and clear to all: the accusers, being warned and prepared beforehand, are the attackers and take the offensive, while the accused, (624) surprised by the result, are on the defensive. No war chiefs have been previously appointed. The objective is clear and simple for every combatant, namely, to exterminate the opposite group and take over its property. Very soon combat parties are drawn up, through reasons of kinship, friendship and geographical proximity; at night,

628 they send out a couple of individuals to care for their relatives (in
721 their absence) and tell them what has happened, and by day, they have
to feed them, after which, once this is done, they start the march
toward the enemy group in order to deliver the coup de main either at
once or through careful skirmishing.

There is no top command, for, as the objective is clear, it is not needed. All that must be done is to write finis to the enemy. Individual desertion is shameful, booty is eagerly anticipated, and members of the war-party do not worry about the fact that there are neither rearguard services nor defense.

B) Harkas and their Formation (fragmentary):

The obligation to serve in a harka or war-party was general
[701] [626] and accepted by all, and avoidance of harka duty was an object of
[689] censure and sanction. Any and all groups which were threatened (both
internally and externally) provided variable contingents which were
activated periodically. Until protectorate times, punitive expeditions
organized by the Moroccan Sultans to chastise recalcitrant tribesmen
were augmented by auxiliary harkas made up from the tribes through
[648] whose territory the expeditions passed. A good example was the foray
undertaken by Bushta al-Baghdadi, one of the fin de siècle commanders
of the Moroccan army, against the pirates of the Ibuqquyen in 1898[4].
701 More recently, 'Abd al-Krim solicited harkas for individual engagements; he maintained a reduced contingent, which was periodically increased, under arms. The system was one of partial mobilization with relief contingents, the number and amount of which were fixed by 'Abd al-Krim. Their recruitment and provisions were handled by their

701 own *jma'ths*; they were headed by men of their own localities; and
'Abd al-Krim only reserved for himself the right to nominate individ-
uals in his confidence for top positions[5].

[619] The contingents of each tribe were headed by the notables of
that tribe, and were instructed independently within the whole *harka*
619 agglomerate. The tribal notables received news of the objectives
726 they had to attain; they took their contingents into battle; and
701 afterwards, they abandoned the field and brought their *harkas* home....
[621] Through their representatives in the *agraw*, the *jma'ths* knew the
[623] contingent which was requested, and they made the division and nomin-
701 ated the chiefs[6]. There were both volunteers and conscripts;/but in
[702] each house, one man had to stay at home. An *amghar* or *the amghar* was
the elected warchief, and he established his contingent....He did not
(621) abandon his house or agricultural tasks or coerce anyone to fight[7],
(623) and the *jma'th* saw to an equitable distribution of men under arms at
all times. Only *shurfa*, old men, boys and individuals with physical
defects were exempt from *harka* service.

726 Attempts were made to respect geographical order, and each contingent was called upon to engage in combat only on its natural front. The order of battle was traditionally known, and was answerable to political necessity. Coexistence was easier for *harka* members on their natural fronts, of course, in their own land; resistance was more effective, displacements were more rapid and dispersion was less serious. Knowing the country perfectly, they could send groups to defend passes or watersheds or gorges in relays, each one two or three hours behind the last, so that later arrivals could increase the

726 strength of those who were first on the spot, and so that the points which were most threatened could be easily and quickly reinforced.
[182] The dissemination of contingents was imposed by geographical factors
[701] (i.e. by the extreme poverty of an area which is excessively compartmented and rought country), by political ones (i.e. lack of a single head at the top of the chain of command other than individuals of purely local prestige, and a recruitment system which set limits on the employment of large units) and even by technical ones (i.e. the European notion of reducing the defense of fixed points of strategic interest, as well as in finding them, is difficult for Rifians to assimilate, for they themselves merely wait in their hilltop houses, etc.)[8].

C) Rifian Alliances (fragmentary):

619 The Rif was a mosaic of independent tribes, gnawed at by in-
628 ternal disputes in an inhospitable land. It was a powder-keg of in-
181 dividual personalities who placated misfortunes with more misfortunes,
[602] with misery, envy and egotism; each one of these men were followed by minuscule groups of kinsmen and partisans, with no tie greater to oppose an invader than their own ambition and convenience....

619 There was in the Rif, however, a certain internal equilibrium by which small tribes like the Targist, Thafarsith and Aith Wurishik[9] could persist, even though surrounded by powerful neighbors.

619 Alliances seem the logical and necessary step to which the
616 Rifians had recourse when threatened by superior powers, such as that
[648] of the Sultans. The main significance of alliances lies in defense against a common danger, as well as in its concomitant, mutual aid;

619 but in the Rif, alliances were limited to the practical idea of the
616 defense of the Rifians' own interests, for neither their religion nor
their political system nor any other abstract notion or value or in-
[181] stitution, great or small, was the cause. Islam, independence and
security were the trinity to which the whole little Rifian world[10]
administered its sacrament as only spiritual appetite, desire for
coexistence in free and minuscule republican units[11], and security of
619 property and persons....The regular functioning of its structure, with
616 its trilateral organization of blood, family ties (marriage; *jajgu* or
182 branch; and *dharfiqth* or trunk[12]) and social units (*jma'th*, clan and
dhaqbitsh) and institutions (communal and religious services[13],
markets and *qanun*), could never have been justified alone, because the
Rifians needed to take refuge in a complementary system of alliances,
which they would do until another more powerful force from outside,
such as a relatively strong and centralized Makhzin, succeeded in re-
ducing such a function to smoldering embers.

Rifian alliances were thus the refuge of individuals or groups
when the norms of coexistence were broken or when the danger of in-
dividual or group preponderance surged up within a social unit, threaten-
616 ing its equilibrium. The alliance which originated in the rivalries
619 between kin groups rose up to clan and even tribal levels, and in some
[614] instances it could even spread beyond tribal borders to extend itself
616 over the whole area. In this way the two great enemy groups of Sanhaja
619 and Ghumara came into being; and although they are to a large extent
648 confused recollections in the minds of old men[14], the latter also
173 bring to life, through their descriptions, the voracious conflagrations

616 into which a minute initial event (i.e. the cause of the war) had
619 developed, while the echo of gunshots and the splendors of vengeance
648 lit up the Rifian mountain landscape....The Rifian alliance is estab-
173 lished as a precaution taken by a weak man faced by the dangers of
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619 disequilibrium within the social group of which he is a member, and
182 it comes into play when the norms of coexistence are broken....When
one studies life in the dispersed hamlets of the Rif, one sees at once
how personal ambition and rival interests could, in the last analysis,
break up their inhabitants and realign them into two or three rival
bands[15] of more or less equal strength. When there are three such
616
619 bands[16], one of them acts as a buffer or cushion between the other
two in order to maintain equilibrium and to prepare for the worst
through alliance with neighboring villages or groups. This also
happens with clans, and even with tribes.

[829] All of native science in the difficult art of government resides in a perfect knowledge and evaluation of these bands and of the rivalries which separate them in their own rich personal experience.... A great many tribal wars may be explained through the preference of one band, in a system of equilibrium of forces and balance of power, and through the logical reaction of the opposite band, which considered itself underestimated or slighted! The personalities and moving spirits in each band are also a factor to be considered[17].

616 Ordinarily the people in a village group themselves into two
621 opposed bands of equal strength. When there are three such bands or
[602] if equilibrium is for any reason upset, the foresight of the weak
obliged them to ally themselves with family groups in neighboring
villages, thus giving rise to the linkages[18] discussed
earlier.

000 villages, thus giving rise to the linkages[18] discussed earlier.

616 D) Political Organization:

1) The Individual Liff:--The liff is the union of individuals
or groups of individuals in ways and means and towards ends to be
616 discussed below....When one sees, over a period of time, two Rifians
571 going together to markets, weddings and saints' tombs, as well as to
572 each other's houses, and engaging in long and earnest conversations
while sitting under a fig tree, etc., it is said that they, A and B,
are not only imddukar (sing. amddukar), or friends, but that they are
in liff; or rather, that A is in B's liff, if the latter has greater
prestige.

616 The tie which unites these two individuals is not the same
571 as one which might bind two Europeans together, for the bond between
572 the latter may be that of affinity of ideas and interests, and in any
171 case, both persons concerned have at the same time many other independent
friendships. The European is both indefinite and free, but a
Rifian cannot exist by himself. The European associate only shares a
part of his freedom; a Rifian in analogous circumstances would enslave
it all. A European can change his friendships, but a Rifian cannot
616 abandon his liff mate if the latter is attacked. For, lacking any
181 higher organization, would any warlike society, like that of the Rif,
571 admit a disloyal person, a coward, a deserter or turncoat? And what,
in a society so given to feuding, would an isolated or neutral individual
(574) be able to do?[19]....I suspect, indeed, that the celebrated
[577] hospitality of the Rifians and their faithfulness to the given word are
not so much personality traits as simply results of their system of
alliances[20].

616 [182] Individual *liffs* bind together individuals or families, persons and possessions, and make for solidarity in the payment of fines, in both defense and attack[21].

2) *General Liff*:--I think the *raison d'etre* of the general *liff* to be purely defensive. These large-scale *liffs* are real military [619] alliances brought about in order to maintain territorial integrity, and it is they which have permitted the coexistence of minuscule tribes alongside of large and powerful ones. The situation in this respect is analogous to that of Switzerland in Europe; and among the most typical Switzerlands in the Rif are the Thafarsith and the Aith 'Ammarth[22]....In a general *liff*, it is not individual or kin group interests which are in opposition to each other and come into play, but rather the jurisdictional limits and the autonomy of the social groupings (i.e. clans) which integrate them. The general *liff* [613] obligates with the same end and binds together with the same strength the individuals belonging to rival *dharfiqin*. There is thus, I think, [171] a notable difference in the two classes of *liffs*, although the end result or defensive spirit is the same[23]; analogously, there are alliances between European nations which are destined to preserve their independence, as well as friendships of more of an individual or economic character between their members....The national *liff*, to call it [562] thus, cannot be confused with the social forms which have already been considered above, for while the latter place mutual obligations upon and bind together individuals and lands, the general *liff* usually applies only to men and binds together only warriors[24].

616 The *jma'th*, the clan and the tribe, in spite of swamping
614 their territory with the blood of their brothers and fellow members,
619 [621] are invariably and unchangingly preserved, for the desire of expansion
on the part of their neighbors was always held in check by a tremendous
fear of the *liff*, whose mysterious strength was never known pre-
616 viously[25]....And here we have a strange game or interplay between these
182 628 two types of *liff*, for while the individual type, with its sanguinary
feuds with neighbors, tends toward the disintegration of the social
units involved, the general type remains permanent and intact, tending
to neutralize or localize the hatreds which the quarrels of the in-
dividual type can engender.[26]

648 As today (1935) the central power (i.e. the Spanish Protec-
692 616 torate or Makhzin) is strong enough to put individual and group disputes
182 up to arbitration, guaranteeing the enjoyment of his or their rights
to each person or group involved, the general *liffs* are disappearing
and the individual ones are weakening; but in my opinion, if any real
commotion began, *liff* alliances would surge up anew, even though today
they exist largely in the minds of old men.[27]

616 Robert Montagne, in *Les Berbères et le Makhzen* (p. 216), says of all this:

> "When we study the existence of little elementary societies, we are struck both by the tyranny exercised by the group over the individual and by the impotence of the former to keep away from anarchy. The *liffs* materialize and project on ground level, we might say, the two opposite and complementary tendencies of Berber life: the spirit of association and the taste for discord."

My own feeling on the matter, however, is that the *liff* system is the complement of the other two types of unity, family and kin group

616 (social), for a man only goes to his *liff* when the other two types fail him. Thus we see individuals or groups, when they are helpless, calling for their *liffs* in defense of their rights or taking refuge with them when, conquered or routed, they abandon their own hearths.

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621 Tribes and their clans, and *jma'ths* and their kin groups or *dharfiqin* are generally divided into two balanced, symmetrical and mutually hostile parties; and it is in such an equilibrium that we find the strength of each group, no matter how insignificant that group may appear, and the weakness of the whole tribe, which is only welded together if threatened from outside.

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623 In essence, in the tribe of the Aith Waryaghar, the innumerable feuds between *jma'ths* are reduced to two parties, within each council, whose quarrel, perhaps rather than for hegemony, is a dispute of interests. But, in discussing parties, let us rid ourselves of the
642
795 notions which these have for Europeans, either in forms of government or in religion. In such simple questions, Republic[28] and Islam have been in agreement for a long time. The Rifian states were religious republics governed by laymen, we might say. Well and good: above and
616 beyond these quarrels and ferocious feuds, the Aith Waryaghar knew how to ally themselves, absolutely independently of these, to other groups, indicating that the motive forces which underlay each class of alli-
619 ance were different[29]. Thus we see, for example, how the five *khmas* (sing. *khums*) of the Aith Waryaghar were allied or opposed to each other, and how they constituted two mutually hostile bands; the Aith 'Adhiya, Aith 'Ari and Aith 'Abd Allah on one side, and the rest on the other[30]. In my opinion, these two bands represent the most obvious

619 brake or check upon the expanding hunger of neighbors as well as upon
the hegemony of some determined individual.

175 But with the threat of the Rogi, Bu Hmara[31], expressed in
619 the form of the mhalla or military expedition under the command of
Jilali Mul al-Wudhu[32] (Muludu), we see the Aith Waryaghar reacting
violently and uniting, for the first time in their history, as the
result of an agraw at Imzuren, nominating their war chief, mounting
guard on the line of resistance parallel to the Nkur River, from Imnudh
(in the Aith Bu 'Ayyash) to the Mediterranean, and joyfully accepting
the hard task, magnificently performed, of smashing Bu Hmara's army
to bits and sending it back in headlong retreat to Qasba Silwan.

619 In the same way, we also see the khums of Aith 'Abd Allah,
616 in liff with the Ibuqquyen, joining the other khmas of Aith Waryaghar
175 to fight against that tribe, as auxiliaries in the punitive expedition
of Bushta al-Baghdadi[33]; and thus we see that tribal interests were
always superior to clan ones[34].

616 For this reason, the mechanism of the liff is simply con-
182 servative and not disintegrative, as might seem the case from other
(621) points of view. If in the jma'th it equalizes the forces which are
(619) feuding, it does the same in the tribe with the rival clans, and in
(614) the overall Rifian area with hostile tribes, everywhere balancing the
inferiority of weak groups with the strength of its own men. It may
be possible to explain in this fashion why in spite of the feverish,
ephemeral and unlucky vicissitudes of such minuscule states, they
never came to the point of disappearing altogether, while at the same
time and by the same token they never permitted the duration of empires

616 or similar agglomerates. This might also perhaps explain the persis-
182 tence in disorder up to exhaustion point, for thanks to an obscure
[628] family feud, a chain reaction would unleash violence throughout the
[578] whole region as fast as a burning cigarette can produce a forest
fire[35].

616 There is no doubt that through their origins the tribes can
619 be classified into two great groups, Sanhaja and Ghumara, which formed
101 the two great Rifian alliances of the same names, and between which
the Rifian tribes were distributed in an apparent equilibrium, as
follows[36]:

Ghumara: Ibuqquyen, Aith Yittuft, Aith 'Ammarth, Mtiwa dyal Bhar (Mtiwa of the Sea), Ghmara Proper (Bni Rzin, Bni Khalid, Bni Silman, Bni Zjil, Bni Buzra, Bni Mansur, Bni Grir, Bni Smih and Bni Ziyat), Bni S'aid (of the Jbala, not the Rifian tribe of Aith S'aid), Bni Zarwal, Bni Zarwal, Bni Winjil, Slas, Hiyaina, Branis, Igzinnayen[37], Marnisa, Mtiwa dyal Uta (Mtiwa of the Plain), Bni Mstara and Ghzawa.

Sanhaja: Bni Bu Frah, Bni Gmil, Mistasa[38], Aith Waryaghar, l-Khmas, Bni Waryagil[39], Jaya, Mzzyat, Rgiwa, Dsul, Rhuna, and Sanhaja Srir (Ktama, Aith Siddat, Aith Khannus, Taghzut, Aith Hmid, Aith Bshir, Aith Bu Nsar and Bni Bu Shibt).

616 However, it seems somewhat limited to attribute the basis of Rifian political preferences and the reason for alliances in the region to this dim and garbled tradition of the very distant past[40]. If, on the other hand, the form of government or religion were in dispute, it would be easier to explain its affinities to the European type[44].^ Furthermore, if we discard as vaguely traditional such causes of union

^,[This should read "41" not "44"--Analyst]

616 as were forgotten by the people, we have no others to explain the liff system save external autonomy and internal equilibrium. The liff is the opponent of group hegemony, as the latter is of the preponderance of one family, and it thus results as a protector of both. This was the cause of the ephemeral character of the empires founded upon such a powder-keg, a mosaic of minuscule autonomous republics, as of the transitory periods of tyranny which they would have undergone. If external danger brought about the sacred interclan unity, internal danger (rivalries and hegemony) separated them, seeing them forced to support themselves, now divided, in other neighboring tribes[42].

Whatever may have been the cause of these alliances, it is
[614] certain that among the clans of a tribe there were two bands which put them into this framework and gave them this frame of reference....And if their ethnic origin permits us, in principle, to reestablish the division of the tribes which gave its name to the two great liffs (Sanhaja and Ghumara), it is in the equilibrium and autonomy (author's italics) thus established and in operation that we see the origin and persistence of the other two liffs commented upon, among the Aith Waryaghar[43].

616 Perhaps among the Aith Waryaghar, different aspects of this
619 interpretation may be corroborated. We see their khmas or "fifths" allying themselves one against the other to form two rival groups and thus equalizing their internal strength and avoiding attempts at
[101] supremacy by individual clans. And we also see how the Aith 'Abd Allah and the Aith Bu 'Ayyash look for their internal security in the tribes ‸A of the which border them, the first uniting with the "Badisiya" tribes
‸A, [Apparently footnote "44" should appear here--Analyst]

616 619 101 Ibuqquyen, the Aith Yittuft and the Bni Bu Frah on the one hand, while the second unites with the Axt Tuzin and the Thimsaman on the other, thus giving rise to a curious small and narrow passage across the territory of the Sanhajan (sic) tribe of the Aith Waryaghar, through which the Ghumaran tribes can communicate[45]. This might be borne out through other possible passages of the same type which, if found, would widen our political conceptualizations of this problem and might explain the apparent anomaly of ethnographic islets[46]. But in this, before it can be attempted, there must be an agreement on the basic affinities of the tribes in each band, Sanhajan or Ghumaran, and even among the Zanatans[47].

616 The liffs also seem to show, and manifestly, the reason for this progressive increase observed in the concentration of groups struggling in order to obtain the successive enlistment of possible far-away liff adherents.....so that their support would be required or attracted by the idea of burning of houses, etc., and their sudden disappearance, as if the earth might have swallowed them up, on the retreat of such far-flung allies....and thus creating the vacuum which one might label post-ta'rqiba[48] (author's italics), in order to astonish superficial observers, and coming to doubt the veracity of confidences and trusts, as well as of the enemy whom they had in front of them, and of the sincerity of the peace testimony....And nevertheless, a sub- 616 728 mission must be accepted as effective for those who are about to make it, or for the next enemy group, seeing that it does not naturally endanger the lives of the warriors, who voluntarily defended the territorial integrity of their part of their liff. The ta'rqiba of this

616 group is not and cannot represent the surrender or submission of the
728 chain which, immediately unfurled if a single link is lost, maintains and preserves all those who remain within it in the desirable state of resistance[49].

000 FOOTNOTES:

(114) 1--This should no doubt read, "by *iziddjifen* or *imgharen*".

[682] 2--We have not heard of any instance in which a tribal fine is divided up in this manner. Normally, when a man is fined for murder, for instance, the fine is split up into as many equal parts as there are clans in the tribe, after which each clan distributes its share of the fine among its component subclans, and so on down the line.

3--For an excellent and virtually contemporary account of what could happen at an *agraw*, see Coon, op. cit., 1931, p. [illegible]7, and Coon, *Flesh of the Wild Ox*, New York: Morrow, 1932, pp. 77-83. Coon's account is taken from the Igzinnayen, who pronounce the word *ayraw*.

[628] (114) 4--This is indeed an excellent example, but Blanco does not say why: because the other Rifian tribes through which Bushta al-Baghdadi's army passed did their own share of pillaging the Ibuqquyen as well--and this was particularly true of the lowlanders of the Aith Waryaghar.

5--The term *harka* did not exist in the Rif prior to 'Abd al-Krim, and under his aegis the notion it implied reached its fullest flowering, through military (i.e. "regular" Rifian Army, a total of some 2500 men under the command of 'Abd al-Krim's younger brother Si Mhammad n Si 'Abd l-Krim) and ordinary tribal levies sent out to fight, first, the Spaniards on two fronts (east and west) and then the French on one (south). These contingents, both regular and irregular, were organized into groups of twelve, twenty-five, fifty, one hundred and three hundred men (the last mentioned constituting a *tabur*), each one of which was under a *qa'id* designated by the number of men under his command--*qa'id at-tn'ash* (of 12), *qa'id l-khamsa w 'ashrin* (of 25), *qa'id l-khamsin* (of 50), *qa'id l-Miya* (of 100), *and qa'id attabur* (of a *tabur*, or 300).

[177) However, the *idea* of the *harka* had been there previously, even if the organizational refinements set up by 'Abd al-Krim, who modeled them on those of the Sultan's Army, were new.

6--In actual fact, those *imgharen* already holding office merely became war leaders as well.

[602) 7--This statement does not quite jibe with the notion of conscription, above; but the principle was exactly the same as that of a powerful chief who could count on armed support from numerous lineage-mates and/or fellow clansmen.

8--This comparison is couched by Blanco in the form of a recommendation for the use of native *harkas* in Spanish service.

[114) 9--This is certainly true of the Targist and the Thafarsith, but not of the Aith Wurishik, who are a fairly powerful tribe in their own right.

10--In the original, *todo el mundillo rifeño*, which is fully as descriptive, and a good deal less pompous, than "conceptual universe", for example.

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11--Berber society always seems to be labeled "republican", "democratic", "anarchic", "oligarchic", etc. etc., and as I have remarked in several previous notes, Blanco is a prime offender in this regard. Even though

616 the Rifians borrowed a European word, *republik*, to describe the political
619 organization of their country before 'Abd al'Krim's time, and even
though they say that they employed this word because there was no central
642 government, no *makhzin*, only *imgharen* or councilmembers acting in
114 a state of "organized acephaly", we must not assume, for instance, that
republik to a Rifian means what *republic* means to an American or *république* to a Frenchman. Furthermore, though the American and French definitions of the term are no doubt closer to each other than either or both of them are to the Rifian, we cannot even assume that *they* are the same. And one of Blanco's most persistent defects in his analysis of social structure is a constant tendency to try to put square pegs into round holes.

616 12--Blanco's comparison of a *jajgu* to a branch of a tree (which, in
619 fact, it actually means) and of *dharfiqth* to the trunk, e.g. a branch
of a lineage with the lineage itself, is a comparison that Rifians
182 themselves very frequently make. An anthropologist beginning work in
601 the area, is always told by his informants, if he is perplexed by the
intricacies of segmentary systems, to compare a tribe with a tree:
829 trunk, major branches, minor branches growing out of these, still
smaller branches, and, finally, leaves. The notion of "family trees"
[171] is just as firmly rooted in tribal Islam as in the Western World,
perhaps more so.

000 13--What Blanco refers to in this very European expression is, among other things, attendance at the noon prayer on Fridays in the mosque.

[114] 14--Where Montagne committed a grave error was in his assumption that
Rifian alliances work exactly the same way as the checkerboard system
[171] which he found in the Western Atlas, and of which, oddly enough, the
almost hypothetical Sanhaja-Ghumara *liffs* in Northern Morocco also seem to have been a good example. Blanco did not fall into quite the same error, but like Montagne, he takes the Sanhaja-Ghumara *liffs* at their face value, and accepts them entirely.

15--In the original, *bando*, which is not a bad description. The *liffs* of a given tribe are, in fact, hostile moieties, and regarding this conceptualization of them, and the notion of balance, equilibrium and oscillation between them, see Hart, op. cit., 1958, pp. 204-6, note 44.

[614] 16--The notion that there can be more than two *liffs* within a clan or
within a tribe may not, in fact, be beyond the realm of possibility; but the point is academic, for the end result is, no matter how one arrives at it, always two *liffs*. For example, clans A and B are at war, while C, D and E remain neutral. C and D, however, are hostile to each other, so that if A should ask C's aid, D will automatically join B. After this, ideally, E will split in half, one half joining A's *liff* and the other, B's, in order to keep the balance and symmetry complete.

17--Almost always, in the shifting *liffs* within clans, each *liff* took the name of its most powerful man; and sometimes this happened on the tribal level as well, though it was less frequent.

616 18--The concept of linkage is basic to an understanding of the func-
621 tioning of Rifian *liffs*, as Blanco indicates. He does not, however, go
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[621] sufficiently deeply into the problem to explain why this is so; although
[602] he does distinguish two kinds of liffs, he does not, in my estimation,
[114] make sufficiently clear why such a distinction exists. Let us look at
the matter in a slightly different way.

There are, indeed, two kinds of liffs, which Rifians themselves
[539] readily distinguish, and a Rifian proverb to this effect is as follows:
"Kahalli nimsingha jiranagh ghar barra untimsa'dhi" ("Even if we fight
among each other, we must be united against outsiders"). Thus, within
616 clans or subclans, there are "internal quarrels" (aminghi n dhikhr,
614 pl. iminghan n dhikhr), in which alliances often or sometimes even con-
619 tinuously shifted and changed over time; and within tribes, there were
"external quarrels" (iminghan n barra), involving one clan or subclan
against the next--and here alignments were almost invariably stable and
predictable. Whenever the latter had to be activated, they were the
same as they had been previously; and the feuding parties in an intra-
clan war patched up their differences in order to turn their attention
to attacking another clan. For this reason, permanence and imperman-
ence of liffs tends to depend upon what levels of segmentation are
under consideration, the latter applying more to lower levels and the
former more to higher ones.

616 Besides the question of duration, there is another mechanism at work in the structure of liff alliances, and this has been defined by E. Gellner as "transitiveness" (see Hart, op. cit., 1958, p. 204, note 44). What is meant here is that if A and B are in liff, and B and C are, then A and C are also. This is indeed true for the Rif, but within well-circumscribed limits (the neighboring clans of immediately neighboring tribes) to be discussed below--for transitiveness does not continue ad infinitum.

The crux of the matter, among Rifians, is neatly revealed in their
616 terminology given above, in that "external" or "outside" or "big"
614 liffs operate on an intra-tribal level, while "internal" or "inside" or
"smaller" liffs work within clans or subclans. The hall-mark of the
619 Rifian liff system as that every single tribe in the area (and we know
of no exceptions whatsoever) was permanently split down the middle, and
its various clans and/or subclans, as a result, were aligned either in
Faction A or Faction B; and thus the balance of power tended often but
not always to be roughly symmetrical. Not only this, but it was gener-
ally expected that immediately bordering clans of neighboring tribes
[124] would help one faction and hinder the other. Two informants, from the
Igzinnayen, in fact, visualized the whole Rif, from their own tribe
(in altitude, the highest in the Rifian-speaking universe) down to the
Mediterranean, as a veritable network of such alliances! Small wonder,
therefore, that Montagne, de la Chapelle, Justinard, Blanco and others
who have published on the subject have found it so fascinating. Because
of the internal split into two more or less equal parts in each in-
dividual tribe, and because of participation (if not in manpower, at
least with money or rifles), of adjoining segments of neighboring tribes,
the Rifian alliance system seems more complicated to me than the out-and-
out chess- or checker-board-type liffs of the Western Atlas (if Montagne
et al. are correct, as J. Berque, op. cit., 1955, pp. 424-39, has cast
doubts on the Montagnian hypothesis); and we would liken it more to the
links of a chain--as Blanco does, though perhaps he does so unwittingly
through not having had all the facts at his disposal.

616 It must be remembered, however, that not every man in a tribe
619 participated in that tribe's wars (though the participants were always
remembered long after the non-participants were forgotten), and in
726 some cases--although they were few--whole clans even remained neutral,
though hardly aloof. It is, we suspect, to situations like these that
[614] Blanco refers when he states that it is possible to have more than two
[728] liffs in a given tribe, for the neutrals would generally be instrumental
in arranging for a truce. In this sense, then, they could form,
in effect, a third liff--those who opted out of war in any case, and
who sometimes even buried the dead of the belligerents: the lineage of
Ihawtshen, of foreign ancestry (from the Axt Tuzin), living in the
clan territory of the Aith Turirth of Aith Waryaghar and greatly
scorned by them, is a classic example; and there are others, as well.
[563] Warfare was demanded of the majority, but a minority could find safety
through humility, as the few Jews living in the Rif were able and
000 expected to do.

[114] 19--Quite true in theory, but in practice he might seek safety in humility,
and bury the dead of the combatants, as the Ihautshen did in Aith
[729] Turirth.

20--This at best is dubious, but at the time he wrote these words,
[114] Blanco, like all his French counterparts, was entranced and virtually
blinded by the liff theories of Montagne, who thought that liff systems
were the be-all and end-all of Berber political sociology.

[682] 21--If a murderer, as was generally the case, was not able to pay the
full amount of the rhaqq levied upon him by the imgharen, his agnates
and, if necessary, his liff-mates were called in to help him out.

616 22--This is certainly true of the Thafarsith; and although the Aith
'Ammarth are a fair-sized tribe, 13246 strong (in 1960), it is bordered
619 in the east and southeast by the two giants of the Rif, the Aith Waryaghar,
75695 in 1960, and the Igzinnayen, 41653 in 1960. The Aith 'Ammarth
[162] feuded bitterly among themselves, also (so ferociously, it is
said, that each liff had its own market and its own qa'id); and the
principles outlined in note 18 apply here very neatly. One of their
[614] liffs, consisting of the clans of Aith 'Abbu and Ija'unen, was aided by
the neighboring Igzinnayen clan of Asht 'Asim, as well as by another
neighboring clan of another tribe, the Aith Hadhifa of the Aith Waryaghar;
while the second moiety, consisting of the clans of the Aith S'aid
Ikhrif and Aith r-Hasayin, was abetted by another neighbor, the non-Rifian
(in this case, "Jbalan") tribe of the Marnisa. Although even the
giants of the Aith Waryaghar and the Igzinnayen both respected the
fighting ability of the Aith 'Ammarth, the latter were and are too small
to try to get away with anything. These neighbors, therefore, they
left severely alone, although they regularly trounced their smaller
Sanhaja Srir neighbors of the Aith Bshir and Zarqat.

000 23--Blanco's two different classes of liffs, individual and general, are,
in effect, my impermanent, shifting and intra-clan type and my permanent,
intermittently reactivated and intra-tribal type, as described in note 18.

24--This is a well-taken point, if a somewhat obvious one. Women, in theory, do not fight, but in more than one instance they have been able to strike blows for the men of their liff. A woman's allegiance, in the

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last analysis, is with her husband, although the relationship between idhuran (sing. adhuggwar) or in-laws is always conceptualized in terms of mutual help, friendship and obligation, in short, of alliance.

25--What is presumably meant here is that one is never sure if one's allies of yesterday will be one's enemies of tomorrow.

26--Blanco recognizes the shifting character of liffs on lower levels of segmentation and the relative permanence of those on higher levels, and it is certainly true that in one sense the permanent liffs act as checks and balances on those of the lower levels. However, what Blanco
[114] does not say is that this cuts both ways; and in a critique of Montagne's ideas on the subject, Andre Adam (La Maison et le Village dans
[113] Quelques Tribus de l'Anti-Atlas, Collection Hespéris, XIII, Paris: Larose, 1951, p. 41) raises the question of whether liffs cause war or prevent it, saying in effect that if their function was to prevent it, they hardly succeeded!

27--This point, again, is well taken. Liffs, in theory, do not exist today, and even though the liff structure is largely erased from the minds of Rifians of the younger generation, it could probably be reactivated without difficulty if the need arose, although such reactivation would doubtless take different and more modern forms. Hatreds in
[152] the Rif today are latent; but every Rifian is perfectly aware who his
[628] friends and who his enemies are, both within his own tribe and outside it.

28--The European concept of "republic", rather than the Rifian Republik, probably is the context which Blanco intended in this case, even though the latter makes far better sense!

29--It is not so much a difference as a shift in emphasis, as the Rifian proverb quoted in note 18 makes so abundantly clear.

619 30--If this statement is at the same time supposed to give any idea of
616 the primary divisions or maximal segmentation of the Aith Waryghar into five khmas, it is highly misleading. From certain of his previous
114 assertions, it seems that Blanco does indeed recognize the difference between a segmentary system and a liff system, but he does not bother to make this difference explicit anywhere. In addition, he faithfully lists the member clans and subclans of Moiety A, but merely refers to Moiety B as "the rest". To clarify the matter further, it should be
619 said that the Aith Waryaghar are segmented into five "fifths", or khams
616 khmās (sing. dhakhammasth; the notion of "five fifths" in addition indicates that a tribe is strong), as follows: I) Aith Yusif w 'Ari and
614 Aith 'Ari; II) Aith 'Abd Allah; III) Aith Hadhifa; IV) Aith Bu 'Ayyash, containing the subclans of Aith Bu 'Ayyash "Proper" (as it were) and Aith 'Adhiya (as we shall see Aith Bu 'Ayyash Proper was in the numerically superior liff, as was Aith Yusif w 'Ari, while Aith 'Adhiya and Aith 'Ari were in the smaller liff--thus the first two clans or subclans might be considered onomastically "dominant" and the second two onomastically "recessive", to borrow a term from Mendelian genetics); and V) Imrabdhen. To set the record completely straight regarding references in previous notes, and to attempt to tie up loose ends, the mountain, or Jbil, (sub)clans of Aith Turirth, Timarzga and

616 Aith 'Arus, though spatially separated from them, are nonetheless
614 clan "brothers" of the Aith Yusif w 'Ari, Aith 'Ari and Aith Hadhifa
[619] respectively; and each of the former groups gets its share of the tribal *rhaqq* from each of the latter, though this, at the moment, is beside the point. What is more important, however, is that each of the mountain clans is allied in *liff* to its "brethren" further down the slope.

In the Aith Waryaghar, the two *liff* heads depend largely on the clan to which one's informants belong. If they are from the Aith 'Adhiya, the *liff* heads are Aith 'Adhiya and Aith Bu 'Ayyash "Proper" (which segments, being both member subclans of a single clan, are more "brothers" to each other than they are to any of the other clans); if from the Aith 'Abd Allah, they are Aith 'Abd Allah and Aith Hadhifa; and if from Aith 'Ari, they are Aith 'Ari and Aith Yusif w 'Ari (who, again, as subclans of a single clan or clans combining to make up a single "fifth", are more "brothers" to each other than either or both of them are to any or all of the other clans; in this particular instance, in fact they are supposed to be descended from two actual brothers, 'Ari w 'Ari and Yusif w 'Ari). No matter; the structure of the *liffs* in Aith Waryaghar is as follows:
Faction A (within Aith Waryaghar): Aith 'Ari (with Timarzga), Aith 'Abd Allah, and Aith 'Adhiya (of Aith Bu 'Ayyash). Faction B (within Aith Waryaghar): Aith Yusif w 'Ari (with Aith Turirth), Aith Hadhifa (with Aith 'Arus), Aith Bu 'Ayyash "Proper" (of Aith Bu 'Ayyash), and Imrabdhen. Faction A (external to Aith Waryaghar): includes clans of Truguth, in the tribe of Thimsaman, and Axt 'Akki, in the tribe of the Axt Tuzin. Faction B (external to Aith Waryaghar): includes the clan of I;a'unen, in the tribe of the Aith 'Ammarth, affiliated through *liff* with Aith Hadhifa.

From the foregoing, four facts are readily apparent: 1) Faction B, internally, is, in both number of clans and total number of individuals involved, considerably stronger than Faction A is, internally. This
616 shows that 2) the *liff* alignment among the Aith Waryaghar, rather than corresponding to the *khums* structure, tends to cut across it, for within
619 two of the *khmas* listed, subclans are pitted against each other in the total tribal moiety system, even though the other three *khmas* remain intact. It also implies that 3), as discussed below, the *liff* system of the Aith Waryaghar is in fact far more a function of their territorial system than it is of their system of segmentation. Moreover, as we have noted in an earlier publication (Hart, op. cit., 1958, p. 204-6, note 44), 4) the exact form that each *liff* in a given tribe will take depends largely upon whether the number of top-level segments in that tribe is even or odd. As most Rifian tribes have an odd number of top segments (only Bni Bu Frah, Aith 'Ammarth and Thafarsith have even numbers--four, four and two, respectively), usually five and never more than five, (i.e. Aith Waryaghar, Igzinnayen, Thimsaman, Axt Tuzin, Aith S'aid, Aith Wurishik, etc.), a certain amount of improvisation and splitting within clans has to take place. (Among tribes containing an even number of segments, there is no need for this.)

It may well be asked, at this juncture, what the explanation is for the numerical superiority of Faction B. There is, we think, a very good one, but in order to show how it works, we must first consider yet

616 another (and/or alternative) division of the Aith Waryaghar into two
619 top-level segments. This division is above and beyond that of the
khmas, and it was dictated to the writer by the late Qa'id Haddu n Muh
[124] Amzzyan of Aith Bu 'Ayyash, a man whose knowledge of his own tribe was
considered by his fellows to be unrivalled. In this division, Top
Segment I is labeled Aith Khattab, and consists of Aith Yusif w 'Ari
(plus Aith 'Ari) and Aith 'Abd Allah, while Top Segment II consists of
Aith Bu 'Ayyash (with Aith 'Adhiya) and Aith Hadhifa. If the subsegments of these top segments are aligned into their component *liffs*, as
above, the balance of power is completely even. The primary key to the
problem, therefore, is the *khums* of Imrabdhen, the presence of which,
616 in the Aith Waryaghar, tips the scale in favor of Faction B (above).
619 The Imrabdhen, as their name indicates, are the major intrusive element
614 in the tribe, a holy clan in a lay tribal unit, so to speak. Tradition
792 has it that the ancestor of a major Imrabdhen lineage branch, Sidi Mhand
u-Musa, married a daughter of one of the top *imgharen* of the Aith Yusif
[613] w 'Ari; and thus the alliance between them. It was highly beneficial
to both parties because the Imrabdhen received the protection of the
laymen of Faction B, so to speak, while the latter derived prestige
from having holy men in residence. In time, with the proliferation of
the Imrabdhen, the latter came to acquire the status of a *khums*, and
their subsegments spread out over much of the length and breadth of the
tribal territory, forming islets, as it were, in the land of the remaining clans, so that today, although they are regarded as a single top
segment, their own subsegments are territorially discontinuous, just as
Aith Turirth, Timarzga and Aith 'Arus are in relation to their "brothers"
of Aith Yusif w 'Ari, Aith 'Ari and Aith Hadhifa, respectively.

In time, also, the majority of the Imrabdhen came to fight among
[613] themselves, and only a very few (such as the lineage of the Iziqqiwen
of Aith Hishim, the direct descendants of Sidi Mhand u Musa, himself in
turn a direct descendant of the clan's apical ancestor, Sidi Ibrahim
al-A'raj, and the lineage of the Dharwa n Sidi r-Hajj Mis'aud in Aith
Turirth) retained the traditional occupations and prerogatives of holy
men: the wearing of white robes, the adjudication of disputes, and the
dispensing of *baraka* (which, it might be added, could only be inherited
614 by one son of any given holy man at a time). In the overall, permanent
616 *liff* alignment within the Aith Waryaghar, however, they did not waver
182 in their allegiance to the Aith Yusif w 'Ari. We are thus faced with
the paradox that although functionally they helped, as holy men, to re-
792 store or maintain equilibrium within the tribe, they created at the
same time a structural disequilibrium by virtue of being, literally,
"fifth wheels"--for such a relationship as exists between the segmentary
and *liff* systems of the Aith Waryaghar is tenuous and non-integrative,
as, in effect, it adds two and two together and makes five. (It is also
possible to draw a similar analogy, in terms of balance and imbalance,
between holy and adjudicating *imrabdhen*, the 10% minority, and lay and
warrior *imrabdhen*, the 90% majority, although this is essentially another
614 matter. So, in fact, is the problem of the "legitimacy" of the Imrabdhen as a clan: whether they are *shurfa* or not--and here again, one
792 runs into ambiguities. They themselves say "yes", while others say
"no". In general, their genealogies seem to indicate that they are
genuine *shurfa*, although it is possible that these are, at least in
part, cleverly faked. Perhaps a test question here is whether or not
they have a right to share in the annual proceeds of the *sunduq* or box

614 of Mulay Idris in Fez; and over this, they hedge, saying that they do
792 have this right, but that they have never yet exercised it because
"Fez is so far away". This is, in effect, a tacit admission of proper
imrabdhen and non-shurfa status.)

In having postulated a state of equilibrium between the two
616 moieties of the Aith Waryaghar prior to the arrival of the Imrabdhen,
614 and in having postulated that the latter came in time to upset this
equilibrium in structural terms, we have up to now left Faction A in a kind of structural limbo. How, one may well ask, did this faction regain its balance? Through the principle of transitiveness within limits, as defined in note 18, by enlisting the aid of one neighboring clan from each of two tribes, Thimsaman and Axt Tuzin. After Faction A made this move, one may assume, Faction B did the same thing with a neighboring clan of Aith 'Ammarth. And here, we feel, is the secondary key to the problem, for, in effect, the inequality of liff alignments of a permanent type within the tribal territory of the Aith Waryaghar is cancelled out or, perhaps, rectified through the mechanism of transitiveness without; and balance is thus restored. And the interplay of the factors of permanence, transitiveness and the chain-link theory (by which, if Faction A gets the Thimsaman and Axt Tuzin, Faction B gets the Aith 'Ammarth) is evident throughout.

000 31-Bu Hmara, as his title r-Rogi indicates, was a false pretender to the Moroccan throne in the first decade of the 20th century. For full details, see Eduardo Maldonado, El Rogui, Tetuan: Instituto General Franco, n.d. (ca. 1952).

[648] 32--Jilali Mul al-Wudhu was a negro general of Bu Hmaram and his top man in the Eastern Rif when he set up headquarters in the qasba or fortress of Silwan in 1907, prior to trying to rally the Rifians to his cause. All of the tribes, in fact, did so rally, save Aith Waryaghar and Aith 'Ammarth, who thought it very "shameful" that a black "slave" ('abid) should invade their territory; and so, on September 7, 1908, on the banks of the Nkur River, near Imzuren, they cut him and his army to pieces, after which the other tribes turned against him one by one and ambushed his rearguard.

33--Busta al-Baghdad's expedition took place in 1898. It should also be noted that any previous liff arrangement which may have existed between Aith 'Abd Allah and Ibuqquyen was purely and strictly ad hoc.

34--True; but the normal situation was as described in note 25. Only outside invasion could and did ever weld a whole tribe together; and the Aith Waryaghar were united for the very first (recorded) time in their history when Bu Hmara came to the Rif.

35--See note 18. The fact that Rifian liffs were transitive, but only up to and including neighboring clans of the next tribe, tended normally to isolate feuds and to keep them in bounds, to some extent, at least.

616 36--We have commented on the almost mythical Ghumara-Sanhaja war above.A
619 The liff system at work in this particular case was at variance with
648 the traditional Rifian system, as described in note 18; although on the
other hand, if we can accept the myth (which is doubtful), it points

A,[See p.257, #14--Analyst.]

616 to a far earlier incidence of tribal unity, and on a much wider scale,
619 than the events precipitated by Bu Hamara's invasion. Blanco's listing,
648 however, is incomplete, for this feud encompassed not only the Rif,
but all of Northern Morocco, centering, supposedly, on the Ghumara and
Sanhaja, each of which had allies both to the west (Jbala) and to the
[114] east (Rif). There are other listings available, the most complete of
which may be found in Montagne, op. cit., 1930, map facing p. 208. See
[113] also Coon, op. cit., 1931, pp. 17-8, and Jesus Ortoneda Jiménez,
Estudio de la Region del Rif, Ceuta, 1930, p. 37, as well as Vademecum
de Intervenciones Militares, Melilla 1928. None of these listings is
in complete agreement with any of the others.

000 37--According to Coon, op. cit., 1931, p. 18, the Igzinnayen were not in the Ghumara *liff*, but in the Sanhajan one, and, according to his informants, the fact that the Aith Waryaghar and the Igzinnayen were both on that side brought the Sanhaja the ultimate victory.

38--Until 1906, Bni Gmil and Mistasa formed a single tribe. See Andrés Sánchez Pérez, Vademecum del Territorio del Rif, 1946, p. 81.

39--Bni Waryagil is a small tribe in the southern Jbala, and Rifian informants have all disclaimed any connection between it and the very much larger Aith Waryaghar of the Rif. Literate informants, moreover, point to the difference in orthography: the name of the Rifian tribe is written in Arabic with the letter ghain, while that of the Jbalan group is written with the gaf (kaf with three points above it).

40--It does indeed!

[114] 41--Why should it be necessary to "explain its affinities to the European type"? One feels that liffs, like any other institutions, can only be "explained" in their own terms!

[696] 42--What Blanco presumably refers to here, in an oblique manner, is, among other things, the fact that murderers must flee their own tribes.

[114] 43--It seems to us that Blanco is looking at this aspect of the problem upside down. If anything, an alliance and war of the Sanhaja-Ghumara type probably had its origins in the Rifian system discussed in note 18, rather than the other way around. It is, of course, also possible that problems and/or notions of this kind cut both ways.

44--This term refers to the western maritime tribes of the Rif, located around the early Islamic center of Badis.

616 45--There are three basic errors in this sentence. First, the Aith 'Abd
616 Allah had only an ad hoc liff arrangement with the Ibuqquyen; this was
619 directed against their own enemies within the Aith Waryaghar, namely,
114 the Aith Yusif w 'Ari and the Aith Hadhifa, the former of whom, in particular, the Ibuqquyen could never forgive for having accompanied Bushta al-Baghdadi's punitive expedition into their tribal territory. There was no question whatsoever of an alliance with either the Aith Yittuft or the Bni Bu Frah. The same applies to the Aith Bu 'Ayyash, who were also (but very tenuously) allied, through the transitive principle, to the Axt Tuzin clan of Axt Tsafth, because their "brothers" and enemies the Aith 'Adhiya were in liff (again through the transitive principle)

616 with the Axt 'Akki of the Axt Tuzin and with the Truguth of the
619 Thimsaman. Secondly, the Aith Waryaghar are not Sanhajan, and because
tradition may have associated them with the *liff* of the Sanhajans long
114 ago, this has nothing to do with their origins--which are Rifian.
Thirdly, and worst of all, Blanco writes unwarranted nonsense through
voicing the notion, entirely of his own making, of "communicating
Ghumaran or Sanhajan passageways", in a cross-tribal sense.

000 46--By "ethnographic islets", Blanco probably refers to tribes such as
Targist, Aith Mazduyi and Bni Gmil, which are neither properly Rifian
nor properly Sanhajan.

47--As today the validity of the whole Masmuda-Ghumara-Sanhaja-Zanaga-
[114] Zanata classification of Berbers, on a linguistic, racial and cultural
basis, has been thrown open to question and doubt, Blanco's
postulation, at best, seems very far-fetched. (The objectives of one
generation are notoften those of the next!)

616 48--*Ta'rqiba*: the sacrifice of an animal, after a war, by the side
which is willing to surrender first. In many parts of Morocco, it
728 involves cutting off the feet of the animal in question after slitting
184 its throat and before it dies; but in the Rif, this particular modality
is not practiced. There, any and all overtures to peace after a feud
782 or war are not designated as *ta'rqiba*, but as *ssulh*, while the term
referring to the act of sacrifice itself is *dhaqqarsth*.

000 49-- Blanco's so-called "*post-ta'rqiba*" vacuum seems to me in reality to
be the spatial norm in Rifian *liff* distribution; for prior to 'Abd
[175] al-Krim's time, and the creation, born of necessity, in 1921 of Eastern
and Western (Spanish), and later, in 1925, of Southern (French) fronts,
Rifian tribesmen always fought in their own home territory--with the
possible exception, in one instance, of the Aith 'Ammarth contingents
who helped the Aith Waryaghar against Bu Hmara's negro general on the
banks of the Nkur River in 1908.

PART II--THE RIFIAN QANUNS

000 Don EMILIO BLANCO IZAGA, Major of Infantry and Regional Administrator of the Rif:

EL RIF (2a. PARTE) (THE RIF-2nd PART)
LA LEY RIFEÑA (RIFIAN LAW)
II--LOS CANONES RIFEÑOS COMMENTADOS (II--THE RIFIAN QĀNŪNS, WITH COMMENTS)

Alta Comisaria de España en Marruecos:
Delegación de Asuntos Indígenas:
Centro de Estudios Marroquíes

(Spanish High Commission in Morocco:
Delegation of Native Affairs:
Center of Moroccan Studies)

Imprenta IMPERIO, Ceuta 1939

Administrators:

From the shipwreck of official prose, try to save through publication whatever your tireless service and individual taste permits you to investigate and to serve toward a more exact knowledge of the country; for the best school is the real one; the only doctrine, the truth; and the most effective method, one's own effort.

The fortunate creation of the Center of Moroccan Studies offers you the means.

121 Rifians:

In the documents which follow, I try to reflect aspects of the Rif

121 of the old days which Arab and European writers have either neglected or toned down, if not falsified.

In the comments which the qanuns have suggested to me, I try to explain what they mean to the European reader, justifying the reason behind their precepts.

This, then, is a simple essay, a modest contribution toward a better knowledge of your preferences and virtues, so that those who live together with you in your land can understand you better[1].

114 In other studies in preparation, I shall continue the study of your fundamental institutions, economy and art, which are nonetheless interesting and worthy of publication even if they are modest.

124 My thanks are due to so many Rifians, over long and agreeable periods of time, who with courtesy and patience stimulated my curiosity and questions and tried to satisfy them, answer them and show me how they worked; and especially to Muhammad n Sh'aib Abuqquy, faithful interpreter of my thought.

The translations were done by the official interpreter D. Juan Gómez Jaén.

671 1. THE RIFIAN QANUNS, WITH COMMENTS:

The analysis of the Rifian qanuns, of these little pieces of paper which I give you to peruse, of these tiny sheets in which unaccustomed hands noted down, after bombastic introductions and flattering patronymics taking up three or four lines, offset by praises to the Divinity, a number of striking and rigorous precepts, the proclamation of which in the suq gave them the force and attributes of law; and it is these precepts which show us graphically and without any doubt that the Rif

671 must be considered and was one of the component parts of the Land of Custom, a fact which clarifies for us, at least ostensibly, many of the precepts referred to above.

When a superficial observer, Arab or Christian, believer or heretic (sic) sees in them no more than a simple tariff of fines (for various infractions), to which he attaches no importance, as in his opinion they say nothing because of not being even remotely dressed in the garb of the law, this shows only the narrowness and ethnocentrism of such a man or the lack of knowledge that analogous precepts are still followed in other areas, that they have been made the object of many studies, and that they have revealed not a few (different) social forms, up until the present poorly known and ignored, whose influence in the development of humanity have been very great and which show the latter's essential unity.[2]

But if this same observer, showing curiosity and a critical spirit, knows the preliminary act which originates them; if he is aware of the profound significance which this has; he will then stop to contemplate the efforts of an ancient race to perpetuate itself, of a primitive society to survive; and he will focus his attention upon the transcendence which these acts have in the lives of free peoples, among whom are forged, solemnly proclaimed and voluntarily accepted the law through which they must operate, for their own protection and development; and he would express then the same jubilation that these same good people, these courageous and valiant old farmers who originated them and heard them proclaimed in the shade of large-branched carob trees, secular evergreen oaks or humble and venerated saints' tombs, in front

671 of a compressed crowd which, hooded and silent in a semi-circle, hears its own echo in the voice of one of its constituents calling out to the four winds in a harsh thamazighth accent and with graphic gestures, while the black muzzles of rifles above their heads make the moment more solemn and the silence more impressive and represent the law, a strong, hard and impassioned law, the primitive law of the pastoral (sic) peoples. And if we ourselves might have had the good fortune to be eyewitnesses, perhaps we would have felt the chill of the anathema against our brethren for making them responsible for our acts.

[539] Qanun of the Sub-Clan of the Aith 'Adhiya: "......all of the above-mentioned villages of the Bni 'Adhiya shall unite against him and burn his estate and that of his brothers; they shall drag them from their houses and exact from them one thousand duros as fine".

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Do not ask the Rifians about their qanuns, as they do not like to reveal them; they know them to be modest, they fear that they will not be understood and that they will be considered as a joke; they guard them and conceal them as carefully as the dearest members of their families, as their own tongue, with an understandable atavism; and so strong is the feeling of mistrust that it would be offensive and erroneous to attribute to them an inferiority complex; and if, in circumstantial preservation, you wanted to learn their language, they would invariably try to dissuade you with bitter phrases which they once might have heard, if not from your lips from those of your brother officers; and one does not know whether to think the sad reproach, the instinctive defense of the community or an absurd conviction is the reason[3]. They speak disparagingly of their own language as of 829

829 their own dwellings, anticipating possible impertinences and discourtesies which, wounding their brittle and easily hurt *amour propre*, would not be able to reject their ways and customs; but if, at some time, and it would not often happen, their instinctive suspicion and simulated servility and docility are momentarily broken down, a single sentence or even a single word will reveal to you all the power and strength of their race, the pride in their ancestry and the consciousness of their superiority; for it is precisely the Rifian resistance to all innovations and to all submission which is one of their most fundamental characteristics![4] In support of this we may refer to the
177 829 case of a *qa'id*, of an old *qa'id* of a Rifian tribe, who in the company
152 of others had to attend an official meeting at which protocol compelled
[123] a special dress to be worn. The only indication that I gave him that he had to change his clothes for the officers was an outrage to him, which I noticed on seeing his cheeks turn red. The game was lost and an adequate answer was forthcoming: "Do you think I am a little boy?" The other *quyad* (pl. of *qa'id*) intervened, but he paid no attention to them; if they wished, he would do so, if not, he would retire; and that old and dignified mountaineer went out with his clothes unchanged, showing himself in the natural and logical manner of his own protocol and not in that of the others, a manner in which, also, he has all his excellence.

671 If we turn our attention to these *qanuns*, if, after putting aside our European criteria of judgment, we diligently examine their badly constructed phrases and sentences, if we analyze their meaning with all possible affection and if we really desire to penetrate into the spirit

671 of those who made them, we shall see, increasing rapidly before our astonished eyes as if by magic, the breadth and amplitude of their conceptualization, the extent of their writings and the reason behind their precepts; we shall see in our imagination how these notions recovered all their rigor, all their old flavor, through divesting the words which make them up of the extraneous clothing in which, in such documents, the Arabic transcription disguises them.[5]

It is clear that these qanuns as tariffs of fines are simple, as are the questions which cause them to arise, the means of laying a base for them. Fortunately for Rifian social organization, its most outstanding characteristic is that of being gratis and free of charge, increasing the economy of its institutions lacking in functionaries charged with materializing, distinguishing, entangling, packing, collecting or gossiping.[6]

Thus there are no deceptions. The Rifian qanuns are what they had to be, because of their editors, rifle-carrying tulba whose hands trembled when they clutched reed pens and whose pulses were steady when their guns were in their hands. They have to be so, simple and uncomplicated, because so is the public toward whom they are directed and enforced. They are simple, synthetic, miserable (sic) gleams of primitive law, rudimentary (sic) law, a simple warning to criminals and malefactors which transports us to the beginnings of humanity (sic) and makes us understand better their sad transformation, documentary proofs of history, odds and ends of the history of our brethren, the history of all peoples, the human epic. Surely in order to awaken adventurous souls, those with illusions try to encompass the whole gamut of human

671 wickedness in a few lines; but this is only in appearance, for in the *qanuns* there only figure those principles which the Rifians want to remember collectively and with some frequency so that they will not be forgotten; but this does not mean to say that these minuscule *qanuns* were the only rules to which the coexistence and living together of Rifians was adjusted, rules which, it should be said, even though lacking written expression, were nonetheless rigorous, nonetheless observed. The *qanuns* may be the exponent of the rudimentary law of the Rif, but they are neither the whole of it nor its principal part. The documents to follow are no more than a reflection of the all-embracing power of the *iziddjifen*.[7]

None of the Rifian jurisconsults is worth the words which he originated and to which he gave birth, and none of the editors who perpetuated them with their foreign writing could dream that one day the *qanuns* would serve to be profaned by the sinful pens of a foreigner.

How could they retain in their hard minds and infantile (sic) memories....wider codifications or penalties and crimes which would not lend themselves to lamentable confusions of right and wrong, of what is prohibited and what is authorized, of what is principal and what is accessory?

Who can imagine that their law was out of tune with the rude environment in which it grew up and in which it was applied?

These are laws destined to be retained in the memory and not in large law books, pretentiously entangled in European legal terminology.

But if the attraction of the Rifian *qanuns*, from a European point of view, lies precisely in their simplicity, they then reveal to us and

671 clarify to us the efforts of one of the freest peoples to handle their own affairs and, jealous of their rights in an authentic democracy, to impose notions of conduct upon themselves voluntarily.

671 177 What could the Aith Waryaghar, as Rifians in that stage of society, have done with a law code on a European style? Just what many of them did: to refuse to understand it, to cry out against seeing themselves obliged to suffer it, to place themselves in Divine hands so as not to awaken involvements in its powerful and intricate meshes and so as not to empty their money bags to fill it with official papers. This would not have been worth anything to them, and a good proof of this is the slight service which their religious code can offer them for their convenience when they see themselves obliged to have recourse to persisting in such improvisations.

671 Here the Rifian qanuns remain, unknown or ignored by investigators, so that up to the present (1939), as far as I know, they have not had the honor of seeing themselves reproduced integrally and faithfully; and it does not seem that they have attracted men of laws, whose criticism and science is of another and higher order than the impassioned observations and common and individual interpretation of a [648] tribal administrator, to them. They would not fail to reap many benefits for us, and the greatest ambition for Spain: the respect and esteem which the efforts of her sons creates by their contribution to the development and improvement of humanity and by the scrupulousness in the fulfillment of her international duties.[8]

2. THE INTER-LINEAGE PACT[9] (AITH WARYAGHAR):

A) Qanun:

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Praise be to God...With the prolongation and extenuation of fire and discord between the sons of the celebrated saint Sidi 'Amar Bu Yawryan al-Yusifi al-Jilmami al-Ghalbzuri[10] of the subsegment (lit. farqa) of the Awlad Ukidar, and of that of the Awlad bin 'Abdallah, with the subsegment of al-'Aziz bin Muhammad, their allies, their partisans among the Awlad Tahir Asrih al-Hishami, their patrilateral cousin the Murabit Sayyid Muhammad bin al-Hajj 'Amar and their brother's sons supporting him, an intercession was initiated between both parties through which they desired to obtain the recompense of God by means of good acts, asking the two parties to incline toward reconciliation, which God qualifies by good work and promises to reward whomsoever puts it into practice; then they decided to initiate it for the space of one year from the present date until the same date of the following year.

In consequence, the first party, composed of the Faqih Muahammad Ashahbar Ukidar, his brothers by his father, his patrilateral cousins the Awlad bin 'Abdallah, such as his brother's son Hammu bin 'Abdallah, etc., appeared for judgment; after this, the second party, consisting of al-'Aziz bin Muhammad, his father's brother Akuh, the patrilateral cousin of both the aforementioned, the Siyyid Muhammad bin al-Hajj 'Amar, his brother's son and those of his party as well as those supporting the aforementioned second party of the subclan of Isrihan, the Awlad Tahir Asrich, such as Muhammad bin 'Aisa bin Tahir and all his patrilateral cousins, also appeared for judgment; they came to

671 agree to the abovementioned truce for one year starting from the present
628 date. All of them appeared for judgment in front of the *shiyukh* of the
613 Wednesday Market (*Suq al-Arba'*) which exists in the vicinity of Sidi
728 Abu al-'Afif; attendance at this act was completely general, as there
[443] [686] also came notables such as the blessed, distinguished and excellent *sharif* Sidi Ahmad the son of the celebratedsaint Sidi Misa'ud, from whose grace God has let us avail ourselves; al-Hajj Haddu bin Tahir al-'Abbasi; the *shiyukh* of Ajdir; the *shiyukh* of the Murabitin al-Jilmamiyin; and all in general, each of the parties arranging that in case either of them should break off the aforementioned truce in any way before the stipulated time of one year has elapsed, it shall pay a fine of 2000 duros (i.e. 20 x 100) to the *shiyukh*.

671 After responding with their goods and estates to the completed
628 arrangement, it was put into effect in the presence of the aforementioned
613 *shiyukh* in the latters' shop in the aforementioned market; and it was accepted in full and in good faith, with neither party having the right to retract in either the present or the future, each one of them making itself responsible for the fulfillment of what has been set down and for which only those mentioned here have the responsibility.

(The obligation to) payment (of the fine) and the agreement are both complete, as indicated. (The undersigned witnesses) have testified to the testimonial capacity of everyone concerned, that on this day, in the interior of the aforementioned shop, each person concerned, among those known by sight and name, is of sound mind and memory and thus
[805] capable of testifying. On the first Wednesday of Rabi' al-Awwal of the Prophet, in the year 1335 (December 27, 1916).[11]

B) Commentary:

671 182 We have here a curious (*sic*) type of *qanun*, which, as we read it, reveals the decomposition which Rifian society had reached, the atomism to which its tribal anarchy led, the imperfection, or rather, the inefficacy, of its laws, the irregular coexistence, the demonstration of its independence.

628 613 728 The disputes between two lineages of the Aith Waryaghar threaten to exterminate them through the chain of blood-vengeance in the face of the indifferent attitude of their constituents, who are habituated to taking justice into their own hands in order to defend their own interests. Two rival groups of equal size attain, in their ferocious and persistent struggle, an equal number of losses, and they reach a stage of weariness, a moment of lassitude happily exploited in order to initiate a *treaty of peace* (author's italics), which will permit them to build up their resources; and this fact leads them to establish this agreement for one year. Those who will [686] see to it that the truce is kept are the *shiyukh*, to whose protection they submit and who are interested in the affair because of the inducement of the fine which the group must pay, if within this minimal space of time it contravenes what has been agreed upon *in any way* (author's italics).

671 613 628 728 554 This society lacks a strong executive power; it looked instinctively toward the web of lineages represented through its *shiyukh* or old chiefs (*sic*) (no one should believe that this title represented a step in any framework of governmental or judicial power) for a force which was neutral to its feuds and more powerful than itself, to which

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613 by such a simple and voluntary act it was converted at the same time to
628 an arbiter of incidents and an executor of decisions. The function is
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554 not gratuitous as in modern states, for if in the latter the contributor pays indirectly, he does so directly in the Rif. Their covetousness thus awakened, they evidently insured temporarily against feud renewal, but they also stipulated that it would revive the embers of their hatred.

These agreements or inter-lineage truces obeyed a double
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613 mechanism originating from the vicious circle in which they were de-
628 bated. On the one hand they originated a series of regulatory norms
182 of coexistence which, gaining in amplitude of concept and extending
[183] their jurisdiction to the generalizing of their advantages and the persistence of their exemplarity, painfully came to gain the adhesion of other nearby and related lineages until they were adopted by larger social and territorial units, including districts or entire tribes; and this situation gave rise to some of those qanuns upon which we will comment further on. On the other hand, they represented the ultimate
[728] step to which anarchy led, responding to those most curious periods of
[195] their history in which one powerful group, having recourse to violence, broke the truce in defense of its own interests, the official recognition of this fact being given by the imgharen in the suq in the face of general consternation, with the tragic phrase War dha bu r-haqq.[12]

628 "Now there is no law"[13]: such was the official form of declaring
602 the state of anarchy into which the Rifians so frequently fell, a
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195 phrase which obliged them to strengthen their kin group, without dismay and by all means in their power; for a man's kinsmen were his last refuge in case of social accident.

195 181 628 "Now there is no law" was repeated in the humble dwellings perched upon the heights; and soon the Rifian mountains regained their harsh, untranquil and agitated life, the bloody phantasmagoria of vengeance spreading again over the slopes through the cries of victims and the echo of gunshots.

628 613 619 134 But the instinct of self-preservation again prevailed, first with pacts like the above, allying small lineages, and afterwards with pacts which, as will be shown later, forced whole tribes into more or less long pauses, during which they took a breathing spell in their rude and savage struggle for existence, which was complicated to an extraordinary degree by a poor and ungrateful soil.

443 182 The reader will appreciate the importance which the market has in Rifian society, for it is not just a simple place of weekly commerce.....

443 671 182 [648] The market in Rifian society is the preferential institution, the role of which, in my opinion, has today (1939) been partly absorbed by the Office of Native Affairs[14] and by the mahkamas or tribunals where the law can be laughed at much more easily than it can be in the market, under a carob tree in full view of all, the market to which the Rifians are so addicted and about which the qudat (pl. of qadi) are so refractory, the market which is today free of all control, including that of its constituents, the most efficacious control of all.[15]

443 671 That the market, among Rifians, was the temple of law, of Parliament....is proven by the fact that in all markets laws were made through pacts, referenda and proclamations; and these unfortunately lack sanction through official publication. In it public affairs of general

671 interest were discussed; in the suq resolutions of more importance were
[443] made by significant individuals, more important than the place which gave
them a legal character.

Thus, in order to be valid, agreements and decisions had to conform to the following conditions: 1) agreement of the imgharen[16]; 2) necessity of a witness of exceptional character (a personality of religious significance, known and respected throughout the district); 3) registry by the tulba; and 4) proclamation in the suq. The above seems to be the mechanism of Rifian law.[17]

443 And in the suq a double character may be seen: place of business
671 and temple of law, the latter more important than the former, because
614 if it were the other way around, each clan would have various market sites and not just one, it seems to us; and furthermore, some clans, by virtue of their commercial topography would have been lacking in markets, which is also not the case.[18] Thus we believe, as stated in the first part of this work[19], that there is a correspondence between the clan as a social unit and the suq; in fact, we may go so far as to say that the former was the real fatherland (patria) of the Rifian, his political unit, a small independent republic, the distinctive feature of which was the suq, the temple of Rifian law.

3. INTER-LINEAGE QANUN,[20] SHOWING EXECUTIVE PROCEDURE (AITH WARYAGHAR):

671 A) Qanun:
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613 Praise be to God.--Copy taken from the text of a document after
legalization, extended for the bearer of some.

Praise be to God.--Upon the reciprocal guarantee (Blanco: note 1)
[682] made by Ait 'Aisa, Ait Tzurakhth, Izubu'an, Ait Haddu u Sa'id and

671 628 613 682 Isaghwan[21] with (the) Awlad Siddiq[22], in the Wednesday Market (Suq al-Arba') of Tawrirt, in the presence of their notables (Blanco: note 2), agreeing there (to fulfill what has been pacted among them) that anyone who should kill another by treachery or cunning (Blanco: note 3) shall pay a great fine, the amount of which (may) be as high as 4000 duros. This was also agreed to in their Saturday Market (Suq al-Sabt) in front of the notaries of both parties.

On the betrayal and killing (Blanco: note 4) by the abovementioned Awlad Siddiq of Shu'aib bin al-Hajj 'Amar, the notables of both the abovementioned markets, accompanied by the rest of the people, went to their villages to look for them, camping there until the latter paid (Blanco: note 6), although they (e.g. the Awlad Siddiq) had agreed to this in their presence and in their abovementioned market (when the agreement took place) with respect to the fine expressed above (Blanco: note 7). Upon not finding any solution which would save them except that of handing over to them all their lands, both in the mountains and in Ait 'Aisa, their houses and their documents (Blanco: note 8), with which they remained free of the pressure which the notables and the rest of the people exercised over them (they opted for surrender).

[792] Then, everything which they handed over was valued at 1300 duros (Blanco: note 9) and after the estimate was made, the notables of both markets, including (Blanco: note 10) the sharif Sidi Ahmad bin Sidi al-Hajj Misa'ud[23], al-Hajj bin al-Hajj Am'awsh al-Tawrirti, 'Allal bin Haddu bin al-Hashimi u l-Fari (of the Axt Tuzin), Haddu bin Muhammad Amzyan al-Bu Khalafi[24], al-Talib al-Bukhamad al-Yunusi, Tuhami bin

671 al-Faqir Siddiq al-'Arusi, Muhammad ibn Tahra, Sidi Musa ibn al-Hajj
628 Sayyid 'Amar Tahtahi, Muhammad bin Bu Hammud Mulaidi; al-Hajj Sidi
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682 Misa'ud al-Manduri; Sa'id bin al-Hajj Haddu al-Ufari, Muhammad bin
[792] al-Faqir Muhammad bin al-Hajj Ahmad al-Barzi, Muhammad Bu Shu'an, and
the rest of the notables of Tzurakhth (Blanco: note 11) sold all that was handed over to them to the brothers of the murdered man for the above sum, converting it into money.

(Blanco: note 12) The amount stated above was levied and the quantity (literally, price) was divided into four parts: 300 duros for the lineage of Izzugwaghen; the same for the Awlad al-Hajj 'Amar; the same for the Awlad Muhammad bin Muh bin al-Hajj Muhammadi al-Tazurakhti; and 150 duros for the Awlad Ahmad bin Taimunt (to be split) with Muhammad bin Tah, and the same for Muhammad bin Taimunt bin Misa'ud (to be split) with the Awlad Hammu Kabghith. One hundred (100) duros were divided in half between the son of Bukhalif, that is, Siddiq, and 'Abd al-Qadir Hashsha'.

(Blanco: note 13) Each of the abovementioned parties shall divide with its brothers (i.e. those of the same jurisdiction) the amount which it has exacted and with regard to the quantity of the same.

671 An irrevocable and non-retractable sale, effected (Blanco:
628 note 14) for repression and exemplary punishment. The sellers having
613 levied the total of the abovementioned sum, in the upper part of the
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432 present qanun, from the hands of the buyers cited above, thus liberating
the sellers from all actions or reclamation regarding this matter and the above-cited buyer thus occupying (the lands) instead of the sellers, as his share. That is to say, occupying the place of the owner in the land, of the land which he buys and that of the owner of immovable

671 [628] [613] [681] [432] property in that belonging to him, in conformance with traditional law.[25]

[695] Those who attended the present (act) brought their testimony to the above according to the requirements of the interested parties.

[805] --In the middle of Jumad al-Awwal of the year 1336 (February 27, 1918). --The *'adl*, Muhammad bin Muhammad bin al-Hajj al-Warnuri.--Another, whose name is not known.--Another, Muhammad bin Sidi 'Abd al-Qadir al-Ghamri.

B) *Commentary*:

182 628 613 The social disintegration which Rifian society has reached is proven by these individual agreements between *dharfiqin* (Blanco: note 1, corresponding to text of *qanun*). In the face of helplessness or irregular functioning of higher-level associations, the poor tribesmen, before falling into complete anarchy, hastened to conclude an agreement with a neighboring group in order to attenuate that anarchy, succeeding in the hard struggle for life on a poor soil. These agreements thus formed true islets of irregular and variable peace, anchored in functional (*sic*) anarchy.

628 613 728 The necessity of agreements between lower-level lineages, who were abandoned by the rudimentary organization, obeyed, according to my understanding, those most curious periods which followed the public declaration of anarchy in the *suq*, when one powerful group managed by force to sustain the punishment, breaking the truce.

[614] As the dispute was generalized between two preponderant rivals, the unaffected groups, before falling into anarchy, and with that notable instinct of self-defense, worked to bring about these agreements,

628 a guarantee of peace which, little by little, by virtue of their
613 acceptance by new and neighboring dharfiqin, came to be converted into
728 614 a general agreement between clans, thus increasing the radius of
peace; or they even inspired them to adhere once more to an interrupted
truce.

628 "There is no law", the imgharen announced through the mouth of
616 the market crier, and the poor tribesmen, loading their faithful and
[195] inseparable companions, their rifles, were pressured into forming the
[203] ranks of a liff, and into working out guarantees or neighboring alliances, such as that which we shall examine, which, for greater efficacy, publicity and solemnity, they proclaimed in front of their notables in the suq (parliament--sic), rendering them necessary and valid for fulfillment (Blanco: note 2, in text).

671 These agreements had no other legal connotation than the very
628 short one of holding off the next spark of vengeance, being disrupted
728 or broken, due to the good will of trying to serve (Blanco: note 14) for repression and as an example of punishment, their efficacy being that of lengthening the brief periods of peace.

829 This is a rational mechanism. Everybody understood that war
721 would exterminate him; everybody desired to be at peace. But in their
[182] independent-minded democracy, they did not hit the mark with an organ of enforcement capable of imposing it, if anyone tried to disturb it.

671 Tired of tragic bloodfeuding, they drew up a truce and, logi-
628 cally, nominated the most powerful (man) to guarantee it and watch
728 over it.

671 628 613 728 Things went well, while the violators of the past were humble figures among the allied groups, incapacitated by their slight strength and the fact that they had few friends to abuse the pact by opposing themselves to other groups concerned; but when the equilibrium was upset or broken by the hatreds of the more distinguished lineage members, dragging their powerful lineages into the fray, the pact was wrecked and peace disappeared anew.

671 628 728 Observe in note 1 the guarantee of peace. In note 2, the formality of the agreement obtained. In note 3, the punishment. In note 4, the violation of the agreement. In note 5, the executive organ, the mass of the population. In note 6, the procedure. In note 7, the reason for the punishment, because it is a voluntary law. In notes 8 and 9, the fulfillment. In notes 10 and 11, the notables, the really significant personages, the Aitharbi'in. In notes 12 and and 13, with economic details, the democratic sensation of defective practice. In note 14, the Rifian illusion.

671 628 152 Notes 3 and 4 seem to show that Rifian custom is not designed to punish the loyal combatant, who, in an inflamed dispute, comes impulsively to make use of arms, incapable of dominating his instincts and always quick to defend his rights, but also to avoid treachery, cunning and hatred, or rather, vengeance, reprisal, from which the Rifians did not know how to free themselves, and which used up men and [577] [828] families. This is a notion which renders honors to manhood and stigmatizes the coward.

554 671 In notes 2, 10 and 11 it may be seen who the Rifians of significance are and that only these men, and not the ordinary tribesmen, are the executives and legislators. This proves what has been said

This proves what has been said
554 regarding the treatment of social organization in connection with the
671 ascendency and distinctiveness of the clans, of the *suq*, a true parliament,
614 621 which is attended by the most outstanding men of the clan,
623 tacit or vocal delegates of the *jma'ths* who form an arictocracy known
619 as the *Aitharbi'in*, whose circumstantial attendance in some cases
646 forms the *agraw*, the directing assembly and organism of the tribe.

614 This also serves to confirm our opinion that in the Rifian
671 area it is not the tribe which legislates and executes, but the clan,
[619] through its leaders, who parley in the market. It is thus the clan
[554] and its representatives in which all powers are concentrated and only
in case of a decrease in strength do they pay heed to the rest. The
Rifian clan is thus a truly autonomous state. It makes the law and
[681] executes it. Look, for instance, at the division of the fine, how
not a single *céntimo* goes to the representatives of other clans, even
if they are of the same tribe.

681 Notes 11, 12 and 13, which deal with the division of the fine,
[628] prove many of these notions. The victim or his family does not benefit
from it, for from the beginning his business is individual; a member
of his family (i.e. one of his agnates) will already be designated to
671 avenge him. The law does not punish more than the violation of the
pact, indemnifying those who remain faithful to such violation and saw
628 to its fulfillment. For this reason the perpetrator and his family
[672] (agnates) are punished, while all those who intervene in the service
of justice benefit, for they or their representatives carry it out.
If they get no money, as such, for such services, nobody would be
interested, for in carrying them out, he would not be bothered to

628 7 pick up his rifle in defense of justice (a few days of visiting, free food, participation in the sharing of the fines, and even a raid, if this be the case). In the latter instance, everyone *was* (translator's italics) interested and desired to see justice done (with concomitant benefits of a meal and collecting one's own share of the fine).

671 Rifian law, according to note 7, is definitely superior (*sic*) to European law, because it obliges anyone who submits to it only to accept it and to agree to its fulfillment, accepting beforehand the santions which it establishes.

671 554 794 212 It is in these *qanuns* that Rifians may see sharply reflected who exactly are the men of prestige in the group to which they attach themselves and even the order of preference, by means of the names which figure in them; but we must not lose sight of the fact that they are edited by *tulba* of childish mentality (*sic*), a mentality deformed by their Islamic education; and that these *tulba* do not even translate Berber conceptualizations into their Arabic writing, as may be observed in other *qanuns*, thus altering the natural order in favor of their religious inclinations.[26]

578 794 212 671 Nobody believes, then, that such individuals cited in the first place figure in the documents for reasons of religiosity, but for the convenience of the *imgharen* who, jealous of their prestige, would have promoted interminable altercations in order to be first, in their jealous egalitarianism, and the necessity, which they saw themselves in order to avoid it, of putting above their disputes and petty jealousies individuals of neutral appearance, such as *tulba*, to officiate as the pacifying presidents of their stormy council-meetings (*igrawn*).

671 It may also be seen that here there appear no Arabic names of tribal functionaries, such as *qa'id*, *qadi* or *mqaddim*.

[693] The notaries who sign the documents limit themselves, then, to the registry of acts passed by the lay committee or customary tribunal.[27]

000 This procedure clarifies the executive procedure in notes 5, 6, 7 and 8.

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613 The notables and a coterie of friends, family or volunteers, or, simply, hungry men, fall like locusts upon the households of the lineage-mates (agnates) of the accused, and they do not budge until the matter is settled; either this, or they throw them out of doors.[28] Documents and lands, proofs and possessions; the accused's agnates must hand over all of these, as well as their very houses. They have violated the pact and the pledged word. They can only save their own [628] persons, and this with difficulty, thanks to the force of vengeance, bloodfeud and reprisal, to the *raqba*[29], which may be taken by any member of the victim's family (i.e. any of the victim's agnates).

627 It is a rapid procedure, but not because the law or its executive organs are rapid, for, as among Europeans, as it is their own flesh which suffers, they are in no great hurry. In the Rif, the man who most strongly urges liquidation of these affairs is the one responsible for the crime, and his agnates. However, much beforehand accounts may be adjusted, the matter is over before they will see themselves free of the locusts in their quarters and before they will be able to save bread. After a few days, which are hard to stretch out, the provisions, already considerably reduced, will begin to get

627 very scarce and will soon give out altogether.

627 614 This period is that of smoothing over. Those responsible hide their possessions, assure (the imgharen) that they have nothing, only a goat and a cow and a tiny plot of land: this is all they can offer, along with their house. The rest had been mortgaged[30], etc. The imgharen, sure in their convictions, do not agree....The members of the victim's family deny having any more possessions.

The neighbors of those responsible for the crime who are also obliged to put up lodgers become impatient and denounce possible concealments. The imgharen continue without deciding, and then their buying begins. Finally a moment arrives in which they hear no more offers or denunciations of those responsible for the crime. All, including the coterie, grumble, become tired and begin to desert, finally going back

627 614 613 to their homes. The notables, satiated and fed up, see that this is the time to stop in the struggle and investigations, because of what they hurried to auction when it was taken over, the gross value of which they distribute equally among the lineages concerned in the agreement, except for that of the man who violated it. This distribu-

[594] tion, which the representatives of the lineages present parcel out among their lineage-mates, must in turn be parcelled out by the latter among the nuclear families, and by these among the members of each

[262] family. And thus, one fine day, the imgharen and their numerous coterie, nourished with barley, bread, butter and hard-boiled eggs, abandon those places which they have left as clean as the palms of their hands; for Rifian notions of justice are now satisfied and the lineage responsible for the crime remains in misery.

4. QANUN OF THE JAMA'A OF IMHAWLEN[31] (AITH WARYAGHAR):

A) Qanun:

692 621 614 [693] Praise be to God. Those of the *jama'a* of Imhawlen appeared for judgment in front of both the undersigned notaries, and presented themselves to us: al-Hajj Shu'aib; Muhammad bin Muhammad bin Misa'ud and his brother Muhammadi; Qaddur bin ask-Shaikh Muhammad bin 'Abd as-Salam and his brother Muhammad; al-Muqaddam Muhammadi bin Muhammad bin Ahmad and his brother 'Allush; 'Abdallah bin al-Hasan; Muhammad bin 'Azzuz; Hammu bin Muhammad bin 'Ali and his uncle Shu'aib bin Shu'aib; Muhammad bin Muhammad bin Muhammad bin Musa; Muhammad bin Muhammad bin Ahmad bin al-Hasan; Muhammadi Amzzyan; Awlad al-Muqaddam Shu'aib bin Muhammad bin Shu'aib and their brother Hammu; Muhammadi bin al-Muqaddam and his brother 'Umar[83][A], and their brother Hammu. 621 692 673 All these persons are of the *jama'a* of Imhawlen, and all appeared for judgment (at the present act), agreeing in behalf of what is good and advantageous to the making of the agreement, with respect to the *hannash* (evil doers; also snake charmers), to robberies and all acts of lowliness and ignominy (Blanco: note a).

685 687 In case any thief or smuggler should be caught *in flagrante delicto*, he must pay 10 *mithqals* in money (Blanco: note b).

695 784 Regarding the above, the interested parties testified. The Murabit Si Muhammad Dardushi and the Murabit Muhammad bin 'Abd al-Qadir al-'Azizi attended the present act with them. Whoever changes or alters this agreement must answer to God, who shall decree his punishment. Those who commit misdeeds (on earth) shall know the change in the other life (Blanco: note c).

[A] ["83" apparently does not refer to any footnote here and therefore should be disregarded--Analyst]

695 Valid and complete testimony in virtue of which both instrumental witnesses bring testimony against them.

000 (Two illegible signatures follow.)

692 At the same time, they agreed that whoever should commit any of the wrongs (literally, "things") expressed herein, the case, together with him (the man who committed it) shall be taken to Sayyid Mhammad bin Musa[32] and Sayyid Ahmad bin 'Ali[33] (Blanco: note d).

685 Whoever enters an orchard with intent to rob shall pay 20
685 uqiyyas. If a bull should start to trample property adjacent to that
672 of its owner, the latter shall pay one peseta.

The guarantors (of the fulfillment of this agreement) are three. The Muqaddam Muhammadi bin Muhammad bin Ahmad, Hammu bin Muhammad bin 'Ali bin 'Abdallah, and Muhammad bin 'Umar bin Ahmad bin al-Hasan (Blanco: note e).

[681] Regarding the amount (of the fines imposed) with respect to orchards in cases in which they are injured by animals, this will be donated to their mosque (Blanco: note f).

If they should break a branch of a fig or other tree belonging to anyone, the owner of the animals will pay 20 (uqiyyas).

000 A signature in Arabic follows, which appears to be al-Bu Jma' bin Muhammad (signed).

B) Commentary:

671
624 The reading of this qanun clearly indicates in its first paragraph the names of those who have established it, all of them members of the jma'th of Imhauren, bordering the Island of Alhucemas, in the
621 plain of the same name. Every two or three headmen or iziddifen (sing.,
613
554 aziddif, "head") are the visible representatives of the lineage groups

621 which make up the said jma'th; they are at the same time the most
613 554 influential and respected members of the community. Without any
[182] presidency, without rigid formalities, without oceans of ink or
ridiculous voting techniques, this democracy of lineages, galled by
necessity and convenience, knows how to unite the established social
norms which have to regulate, in what follows, the relations between
the different lineages.

671 It is thus a people's law, made by representatives of the
621 community, surrounding the act in which it is originated with all
181 the guarantee and formality for the satisfaction of the always suspicious
mass and for the possible waylaying (in ambush) of its representatives.
792 For this, and as a guarantee, a greater solemnity and
621 public knowledge, two holy men are invited to and attend the meeting;
692 554 they will keep the session from degenerating into a dispute because
of the prestige which they enjoy, for the conclusion of the agreement,
under which they place themselves, assures their guard and divine
benediction. Even the most exigent will remain satisfied, closing the
792 road to backbiting. Even more, in order to avoid forgetfulness or
621 capricious modifications in matters of such transcendence, they draw
692 212 it up in writing; it is easy to understand the genesis of the agreement
671 and the development of the session in which it is taken. From that
527 time to this, it is public feasting, a subject for all the commentaries
521 571 in the village (households, watering places for women, and mosques),
such as the numerous thefts in and damages to the orchards, the harvests
of which are ready and which they fear will be wasted; these
are events which are repeated every year at the same time and for which
they are obliged to assemble in order to keep them down.

000 they are obliged to assemble in order to keep them down. Furthermore,
431 556 we may see the alarming case in which the commercial transactions of
152 some individuals with the Island of al-Husaima undergo a considerable
increase; their gains, fabulously augmented through envy and general
misery, permit their rivals to throw doubts and suspicion on the real
origin of their opulence; having no other source of wealth, the latter
impute frightful treacheries to them. Perhaps a bloodfeud or an
628 177 accusation deprived more than one Amhaw (sing. of Imhawren) of a large
Spanish pension from the above island[34]......All this and the constant
613 623 inter-lineage hatreds charged the atmosphere in such a way that somebody
had the idea, eagerly grasped by the rest, to hold a meeting in
order to put an end to such a calamitous state of affairs.

623 When the date is established and has arrived, the meeting is
held, without discussion of anything other than details, for in the
preparatory work, as we have said, the participants have already
reached the stage of assembling their criteria. There is no delay in
expressing whatever must be considered a crime, nor even in the type
and importance of the punishment, for as all of them committed sins or
hoped for an occasion to do so, they had to establish a moderate punishment
under a savage exterior, and, above all, a guarantee of not becoming
enveloped in bloodfeuds.

623 For this reason, the popular assembly makes a collective and
687 graphic insult (Blanco: note b, in text), although afterwards this is
685 limited to a fine (Blanco" note c, in text) of fairly sizeable proportions
which is imposed upon the smuggler and informer from al-Husaima
Island or on a thief, in place of exterminating him. Thus public

623 Thus public
182 esteem and the ideas which such deeds provoke in others are regained;
673 687 they satisfy the mass of the people without having to resort to cruelty,
685 for.....in a truly humane feeling, note c in the text shows that
the author of the crime must have been caught *in flagrante delicto*.
627 Discounting possible vengeance and not very sure of having succeeded in
623 doing so, note e in the text shows the institution of a popular tribunal
554 formed by two neutral individuals, two men who neither take part
671 in the agreement nor are members of the *jma'th*, but the fact that they
have prestige in it is a maximum guarantee of the workability of the
qanun in question.

623 Furthermore, the *jma'th* as a social unit is personified not in
621 its *mqaddim*, in the Arab manner, but, hostile to personal power, in a
triumvirate formed by three of the legislators who took part in the
meeting and who remain obligated to watch over the fulfillment of the
agreement. This executive organ of power is made up of laymen, and it
as much as the aforementioned tribunal is the result of popular election.

671 In the few lines which this *qanun* has, aside from creating a
624 a code, a tribunal and a police force, all of which are, naturally,
182 gratuitous, it creates a rural exchequer, and all this with a good,
natural and admirable feeling.

182 671 It restricts, through fear of fines, damages to the small social
626 unit it represents by guaranteeing the safety of property and discarding
681 613 cravings for economic expansion at the expense of member lineages.[35]

691 It creates lineage authorities whose jobs are gratuitous, and,
613 always suspicious, it avoids concentration of power in the hands of one
661 person, a fact which permits neither a shade of tyranny by the latter
182 nor a bastardization of his office.

000 671 182 628 681 nor a bastardization of his office. It creates guarantees for the accused, protecting him from bloodfeuds; it indemnifies the social unit, the subclan of Imhauren, from injuries caused by some of its members, so that when the fine is donated to the *habus* of the village mosque, through the particular conceptualization and application of these funds in the Rif, a part of the money always came back to the *jma'th* in kind; and the eagerness for a reward, as among participating European functionaries, who multiply the fines by increasing their investigations and denunciations in proportion to their needs, was discarded.

671 681 627 It has--and why not?--among its other defects one which is certainly a simple defect in editing, although the frequency with which it is repeated makes this doubtful in several cases. The *intention* (author's italics) (Blanco: note f, in text) is punished, but how can it be proven? According only to the prudent arbitration of the popular tribunal formed by the two aforementioned individuals. A bad business.

671 621 623 614 182 Curious and noteworthy is the palpable demonstration of this municipal letter, of this *qanun* of a *jma'th*, which is careful not to overstep the bounds of adjacent institutions, such as those of personal status law (inheritance, etc.) or of those handled by the immediately superior social unit, the clan, with its *qanun* approved and drawn up in the markets (murders and woundings, etc.), a fact which reveals the interrelationship and interdependence of the different social units, and even their institutions and how they function.

671 627 182 This *qanun* is limited, logically, to neighborhood questions, among which there figures in first place that of public security (espionage)[36] and secondly that of property.

000 (espionage)[36] and secondly that of property. It[A] says nothing regarding
671 the question of irrigation, because within the territory of this subclan
312
614 there is not a single point of communal water available or usable only
by this jma'th, as happens in Thamasind (see Qanun of Tamasint); on the
other hand, it forms part of a group of irrigating jma'ths subjected to
the same norms which are described in detail in Chapter XIV, and, if
it does not touch other points of coexistence and if it is observed in
other qanuns, this is simply because such questions did not give rise
to any disagreements, for all members of the subclan accepted the old
and very well-known customs of their jma'th in good spirit.

000 And rough, practical men cannot lose time inventing or making
things up, even though they may be capable of doing so.

671 This qanun, like almost all others, brings into relief the
sweat, efforts and oversights of those who drew it up, in order to
validate the precepts agreed upon and in order to satisfy, for those
attending to them[37]; for, attentive to his individual interests, a man
would wish to make an addendum if a mishap had occurred in his orchard
[623] the previous night, as in note i in the text. Amplifications or correc-
tions were required, for, fearing that they were not understood by the
hard-headed councilmembers, the plaintiff was accredited before the
legislative assembly as proof of his presence at the legislative meeting
even if only to legislate egotistically for his orchard.

623 With this, they accredited that under a severe and formalized
182 appearance, there was no more than childishness (sic) and incapacity
to govern (sic): lost in small details, strongly addicted to minutiae,
passionately influenced by the latest incident, working anarchically
(sic), each person obsessed with his own problems, attentive to his

A, [i.e., the qanun--Analyst]

623 182 own circumstantial interest, their councils and the agreements fallen back upon in them lacked that breadth and generality which would have been needed for a longer duration in any jural operation. In a short time, new, unspecified cases or prejudice among the influential men brought their usefulness to an end and necessitated their being redrafted, in which previous experience, the analysis of which was discarded in order to resolve the question of the moment, did not play a part.

671 212 For this reason written laws in the Rif are rare, of only relative value and minimal jural operation, which did not go beyond the time it took the *minors* (author's italics), the small ones, to forget the announcement of the *majors* (author's italics) by the criers in the markets to reach their hands.

671 They do not have the severity of European law which, even though drafted in moments of emotion, gathers up and encloses in itself principles of general usefulness, a usefulness which does not necessarily exist at the time of codification but which comes into play with possible and presumable variations which later times can introduce, by which, with the prolongation of their legal operation, their disclosure and exemplarity increase, resulting in the slow but sure advance of society.

5. QANUN OF THE JAMA'A OF TAMASINT (AITH WARYAGHAR):

671 695 621 623

A) Qanun:

(Blanco: paragraph a) Praise be to God.--Copy.--In front of both witnesses testifying at the present act, those of the *jama'a* of Tamasint as-Sifli, Lower Thamasind, appeared for judgment, including:

671 Muhammad bin Muhammad; at-Talib Sidi Shu'aib bin al-Faqir Misa'ud;
695 Misa'ud bin Muhammad; Muhammad bin Muhammad al-'Attabi; 'Ali bin
621 al-Faqir Muhammad Azifzaf; Muhammad bin Muhammad of Ait Bu Bakr;
623 Misa'ud bin Muhammad; Sa'id bin 'Azzuz; Muhammad bin Muhammad; Muhammad bin ash-Shaikh 'Ali; and Muhammad bin Muhammad bin 'Ayad Amti; and giving respect to 'Ali bin 'Azzuz bin Muhammad bin 'Azzuz, (recognizing) that he is their *shaikh*, and, by the same token, the *shaikh* of the *jama'a* of Tamasint.

685
(Blanco: paragraph b) At the same time, regarding the orchards
821 and gardens, they agreed that if anyone be detained (while stealing) during the night, (he shall pay a fine of) 10 *mithqals*, and if he should do so during the day, he shall pay 50 *uqiyyas*. If he should steal cereals or fruits (literally, "figs"), he shall be punished in the prescribed manner with respect to orchards. If he should steal during the day, he shall pay 50 *mithqals* in money. If he should die
685 during and because of committing theft, there shall in no case be any indemnity to be paid.

(Blanco: paragraph c) If anyone should unsheath his dagger
682 (with intent to attack), he shall pay one *duro*.[38] If he should point his rifle at someone of the aforementioned *jama'a*, he shall pay 10 *mithqals* to the *shaikh*.

685 (Blanco: paragraph d) If (the entrance) of (his) animals, such
672 as goats, cattle, sheep and donkeys, should take place in the cereal (fields) of his neighbor, he shall pay 10 *muzunas*.

574 (Blanco: paragraph e) If someone should spend the night as a
689 guest in the *jama'a* of Tamasint, all shall go to where he is staying

574 (perhaps to deliver their portion of the expenses necessary to maintain
689 the guest), and in case one of them is opposed to going, he shall be fined a goat or one duro.

695
784
693 (Blanco: paragraph f) Valid and complete testimony. Whoever should change or alter this agreement shall answer to God. Both the undersigned notaries know, personally and by name, all the parties who effected the present agreement.

685
312 (Blanco: paragraph g) In case anyone should open a pond or an irrigation ditch (thus letting out the water), he shall be fined one duro for the pond and one mithqal for the irrigation ditch.

686 (Blanco: paragraph h) Regarding the contract with the schoolmaster, if anyone should be opposed (to contributing his share to the scholmaster's annual ration of barley), he shall be fined 10 uqiyyas.

689 (Blanco: paragraph i) If those mentioned earlier in the present agreement should assemble and agree on some useful matter, and if in this case there should be anyone (of the members of the abovementioned jama'a) who is opposed (to carrying it out), he shall be fined one duro.

622 (Blanco: paragraph j) Their shaikh is 'Ali bin Muhammad bin 'Azzuz. Everything that he orders (literally, "says") must be done
693 (literally, "will be"). The parties attending know the value of the present agreement, and in virtue of this, both the undersigned notaries bear witness that they are in a perfect state of legal capacity (i.e. of sound minds and memories) (in order to be able to effect the present
805 agreement) and that they know them. On the first (day) of Safar al-Khair of the year 1285 (May 24, 1868).

000 The slave of God--may He be glorified--Muhammad al-Khattabi and 'Umar bin Muhammad, etc.

a) Commentary:

671 623 This document, this community charter, as is customary with such writings, begins by enumerating the men who attended the meeting 671 554 623 in which it was drawn up. This simple list of names reveals to us, in the first place, the supremacy of the laymen, with civil power, over the clerics, a fact which may be observed in the name of the man figuring in first place being ahead of that of the Talib Sidi Shu'aib. 671 829 576 623 The order in which the names occur is not a casual one. The editors of the qanuns, profound psychologists who know to perfection the environment in which they operate, never dare to invert the terms of social protocol; they know with their eyes closed who must occupy the preferential place, and that the slightest transgression in this respect would tear down not only the agreement, through any quarrel which might take place, but also the effigy of the editors themselves[39].....

623 The first paragraph puts into relief just who are the representative men of the jma'th, the notables, the heads of the lineages making up the village, the iziddifen, who formed the council regulating neighborhood relations, the only council empowered to legislate in such questions (Blanco: paragraph i or j), and equivalent to the Spanish Consejo or Ayuntamiento.[40]

The agraw or council-meeting held on this occasion by the iziddifen had as its object, as the written qanun shows us, the legislation of neighborhood questions concerning the council, regulation of the coexistence of its lineage members, guaranteeing the free and peaceful usufruct of individual and communal (i.e. water) property,

623 the imposition of minimal social obligations (education and hospitality),
the equal division of duties and work, and, finally, nomination of a
man to represent the *jma'th* and to see that local law is enforced.

This *jma'th* and its representative were legitimate organs of
the people, an authentic and faithful reflection of the feeling and
convenience of its members, live and efficient organisms. Today a
623 177 rigid Arab framework and its imposed and despotic representatives
182 has submerged the *jma'th*, without any alternative other than the
hatred or scorn of its members, according to whether the chief is a
tyrant, or a slave to his needs or whims.

436 For an analysis of the proportioning of the punishment, it is
681 well to know the equivalents of the Rifian monetary system, as follows:[41]

Mithqal--2 Spanish pesetas

Bsita--0.60 Spanish pesetas

Rbi'a--0.50 Spanish pesetas

Uqiyya or Spanish *onza*, "ounce"--0.20 Spanish pesetas

Ujjhain (two *muzunas*)--0.10 Spanish pesetas

Muzuna or Spanish *blanquillo*, "little target"--0.05 Spanish pesetas.

681 With these data to hand, we may now establish the framework of
673 fines which occur in the *qanun* commented upon, in the following order:

Theft by day, of cereals or fruits (figs, etc.)--100 pesetas

Theft by night, in the orchards or gardens--20 pesetas

Threats with firearms--20 pesetas

Thefts by day, in the orchards--10 pesetas

Threats with knives or daggers--5 pesetas

Damages to dams--5 pesetas

681 673 Recalcitrance toward hospitality--5 pesetas

Disobedience to other agreements of the *iziddifen*--5 pesetas

Incompletion of contractual obligations to the schoolmaster--2 pesetas

Damages to irrigation ditches--2 pesetas

Damages caused by animals in land just sown--0.50 pesetas

673 623 685 423 An examination of this graded scale shows us with evident clarity the importance which the *jma'th* attributed to acts committed against it, those against property emerging as the gravest and most feared; for the property of the *jma'th* was its support and sustenance, and its members placed the strongest penalty upon possible theft of its scarce food reserves in order to avoid such temptations.

623 423 578 The principal obsession of the *jma'th* as an institution is, then, the defense of its property and the avoidance of *agressions among its members* (author's italics), whose simple *intention* (author's italics) it punishes, in order to avoid quarrels.

623 [793] [574] Although rudimentary, it aims to fulfill the defensive needs of the whole social unit. It is not warlike, nor is it in the least religious, if we consider the very slight importance which it concedes toward sustenance of the *fqih* (two pesetas of the fine).[42] It is purely and simply a social unit which places much more importance on the duties of hospitality to guests, for example.[43]

[623] [681] [554] But it is humane. There are no lashings or mutilations, as instituted by Muslim law, with or without Qur'anic ceremonial; nor is there any deprivation whatsoever of personal liberty in the manner of European codes. Neither is it proud, converting the legislators into demi-gods, thanks to immunities and other profits....It aids them to

623 legislate, but it is not maintained by conferring distinctions on them, 554 converting them into a caste, nor by giving them stipends for their work. For this same reason, the council-members have, perhaps, greater esteem among their neighbors. On the other hand, the *jma'th* punishes [581] disobedience to its decrees, but it does not impose a penalty on those who disobey the *shaikh*, who is simply a representative of the people with outside denomination expressed in writing (i.e. in Arabic), in view of the difficulty of expressing this in his own language.[44] That [622] he is a simple titular and outside arbiter is shown by the fact that his function, in Arabic terminology and organization, would be that of a *mqaddim*.

671 This *qanun* is an excellent example of the beginnings of a 554 trend toward personal power concentrated in a single individual, the 623 [578] *shaikh*, charged with the representation of the *jma'th* and the execution of its agreements;.......and we may perceive indistinctly the intrigue and the deaf struggle between this personage and the rest of the community, who are jealous of his attributes. In the first draft, the document is declared valid (Blanco: paragraph f, in text); but in the oversights pointed up in the re-reading of the document, and certainly at the *shaikh*'s request, they consent to the fact that obedience to him be recommended in the addenda; but they have been careful, in the preceding paragraph (paragraph i), to state that only they can make resolutions or define crimes and misdemeanors through enforcement of law and punishment, *always* granted, of course, *that such enforcement be useful* (author's italics); but neither the *shaikh* nor anyone else can invent or contrive more than his council, because only they are capable

671 of knowing the needs of the moment, not past or future needs which do
554 623 not mean anything to anybody. They are living laws designed for living
people, for those present.

671 Paragraph b shows us how they embellish their law, taking aggra-
672 vating and attenuating circumstances into account. Among these are
nocturnity and dwellings (where they guard their fig and grain re-
[682] serves). Attenuating and, even more, exemption from responsibility,
homicide is legitimate if committed in self defense or in defense of
one's property.

681 Paragraph c punishes intention, in order to avoid disputes,
554 661 and makes a small concession to personal power, permitting the *shaikh*
671 to keep for himself this fine destined for the common fund.

685 Paragraph d is concerned with injuries to crops by animals,
672 which are herded by children. The punishment is minimal.
671

In paragraph e, the law of the *jma'th* establishes and regulates
671 the social duty of hospitality, imposing the burden equally on all its
623 574 members. Guests learn that it is not only the *shaikh* who pays for
their upkeep, but all the members of the *jma'th*, even the poor ones.

623 Consider also the excessive number of voluntary servitors who
574 dance continued attendance on the guest with towels, basins and soap,
and finally the amphitrion hands over to their expectant voracity all
the remains of your meal, except for one small dish which, passing
through the door, is submerged in the mysterious interior of the
dwelling as a reward for the activity of the women or children who
prepared it. When you leave, each member of the *jma'th* retires with
whatever he presented for your comfort: pillows, blankets, soap, coffee
pot or teapot, towel, glasses, candles, etc.

771 Paragraph h shows us the guarantee of keeping the principal
[671] religious services (funerals, etc.) and of keeping their sons educated
771 in the faith. Today, under a different pretext, it is not uncommon
178 to observe someone pretending to reject with disdain such a traditional
[793] obligation, for which he must not claim protection. The reason for
this, rather than being ro[illegible]d in irreligiosity, must be sought in
possible antagonisms with the fqih.

623 Paragraph i conditions the obligation of fulfilling the agree-
671 ments with certain legalities: that so many individuals be present at
the meeting, and that they be useful and not prejudicial. They are,
thus, the colegislators, working freely and without limitation, without
dependence on anyone. It urges obedience.

671 Paragraph j recommends obedience to the shaikh.

[554] In summation: this beautiful qanun of a jma'th establishes who
671 are the iziddifen or council-members, and what their attributes are:
623 to establish statutes regarding damages to crops, education and hospi-
tality, but not to concern themselves with murder, woundings and homi-
cide, an affair of the clan, nor with personal status, a religious
623 matter. In the internal struggle within the jma'th, if, indeed, the
554 iziddifen consent and delegate the execution of their decisions to a
representative (the shaikh) to whom they accord circumstantial rewards,
at the same time, jealous of their prerogatives, they free themselves
very easily from authorizing him to contrive misdemeanors and penalties
for these.

554 Thus the shaikh, in reality, is only the guardian of the
community.

6. QANUN OF THE AITH 'ABDALLAH[45] (AITH WARYAGHAR)

A) *Qanun*:

671 Praise be to the One God. The will and eternal power of Our
443 Lord having decided thus, the congregation--in the Tuesday Market
[778] (*Suq ath-Thulatha*) (situated) at 'Ain Tihalalin[46], in the vicinity of
(the tomb of) the holy emanator of blessings Sidi 'Amran[47]--of its
owners, those of the clan of Bani 'Abdallah. (The latter) convened
623 443 (in the abovementioned market) with the idea of coming to agreement on
692 their criteria and on the purity of their actions in behalf of the
681 common good of all; and, as a consequence, they decided the amount of
the fines to be imposed inasmuch as there should occur within the
abovementioned market, or, indeed, outside it on the path (which leads
to it), (Blanco: note a) incidents, premeditated or not, through error
or imprudence, such as woundings and murders (which might happen)
through gunshots, knifings, strangulations and stonings, (or, indeed),
682 pillaging and sacking. (Blanco: note b) To anyone who kills in the
443 interior of the market and is caught (literally, "had"), *rashsha'* shall
be applied to him (i.e. he shall be shot). If he has not been captured
[696] owing to having fled to another tribe (literally, "other tribes"),
(they shall impose upon him a fine of) 2000 duros and his house shall be
burned down to its foundations. (If he should kill) on the path (which
leads to the market) he shall also pay (a fine of) 2000 (duros). Who-
683 ever should wound (another), (he shall be fined) 1000 duros. Whoever
(shoots) and misses (his target), (he shall pay a fine of) 500 duros.

682 (Blanco: note c) Whoever of the Bani 'Abdallah should commit
murder on Tuesday (i.e. on market day, the day of the *suq*) within the

682 limits of his land (i.e. within the limits of the clan territory of the
Bani 'Abdallah) shall pay (a fine of) 2000 duros; (this shall be the
fine) if he committed the deed alone; but if several (men) committed
687 it, each one (shall pay a fine of) 2000 duros. Whoever should take
683 justice into his own hands (literally, "ransacking to collect a debt")
shall pay 50 duros, and the same for whoever should attack another on
689 the path. Whoever should provoke an incident in the market (shall pay)
10 duros.

683 (Blanco: note d) Whoever should unsheath a dagger, making it glitter, with intent to attack (literally, "injure"), shall pay 5 duros. Whoever should wound the head of another with stones (shall pay) 5 duros. Whoever should attack another with a stick, causing blood to flow and provoking a scandal, (shall pay) 15 duros, and if he should not cause blood to flow, (he shall pay) 10 duros.

613 (Blanco: note e) Whoever should come to the defense of one of
681 his brothers (i.e. agnates) or of any other person, as is customary
among those of the same party (i.e. same lineage), (shall pay) 5 duros.

681 (Blanco: note f) No request (for pardon) shall be listened to, nor shall mercy be granted to any of those who have incurred the above (punishments).

805 (Blanco: note g) For the application of what has been made
443 manifest above, it shall be considered that Tuesday begins at dawn and
ends with the sunset; this is to apply to them (those of the Bani 'Abdallah) and for strangers (regarding the application of the above), market (day) shall be considered as having a duration of three days.

695 With regard to the above, the testimony (which both 'udul)
693 registered took place, the witnesses being in a perfect state of legal

695 693 capacity (i.e. of sound mind and memory) in order to testify.

(Blanco: note h) If, regarding a murder, there is brought suffi-
682 695 cient proof (against the guilty party), the abovementioned fine shall
be imposed upon him, and in case sufficient proof does not exist, he
shall swear (for acquittal).[48]

805 (Blanco: note i) Regarding the abovementioned beginning (i.e.
443 on Tuesdays), A it is ended at the hour of the 'isha (i.e. at the
782 dinner hour or hour of the sunset prayer). Amen.

805 On the sixth day of Ramadan the Magnificent of the year 1335
000 (June 26, 1917). Servant of his God, may He be exalted, Muhammad al-
Ghalbzuri, may God be benevolent toward him, amen. (Signature).
Servant of his God, "Abd as-Salam bin al-Hajj Muhammadi al-Ghalbzuri,
may God be benevolent toward him. (Signature).

671 Legalization by the qadi. Praise be to the One God. (Both
692 'udul) have put down its contents, which are accepted and to which
693 I give faith. Servant of his God, Muhammad bin 'Umar at-Tuzani, may
000 God be benevolent toward him, amen. (Signature).

B) Commentary:

671 This qanun manifests in a clear way how social law is made among Rifians: where the legislators gathered to agree on it, how it was made public, whom it obligated, the jurisdiction in which it was exercised, the objective sought and the means of attaining it.

It enumerates the crimes and their sanctions, it distinguishes
perpetrators and accomplices, provokers and auxiliaries, natives and
000 stranger. It eschews pardon, it demands proof and it shows the reality
of the social unit, the "fraction" (author's italics--the translator

A,[See p.306-- Analyst]

671 It eschews pardon,
614 it demands proof and it shows the reality of the
621 social unit, the "fraction" (author's italics--the translator
619 would call it "clan", with translator's italics), the characteristic
631 and fundamental unit of Rifian social organization, in the same way that
the jma'th (author's italics) is the elementary unit, the tribe
(author's italics) the principal unit and the confederation (author's
italics) the superior unit.[49]

443 The life of all peoples demands some commercial interchange
and, by the same token, commercial relations as such; and the result
of this is that these relations must be regulated. This necessity
621 impels the jma'ths resident in a small area to satisfy it by estab-
623 lishing a common market in a fixed and determined place on a fixed and
443 determined day of the week, and guaranteeing access and permanence to
671 those who attend it by means of an agreement among its representatives,
whose written accord, respected across time, forms the law of the clan,
an example of which is the qanun commented upon here. A law which, in
[182] principle, has as its only objective the guarantee of commercial interchange, establishing a truce to its disastrous life, it becomes accustomed little by little to social coexistence, giving consistency to the immediately superior unit, the jma'th, the demarcation of which at least corresponds topographically to an accident of the terrain (the side of a mountain, the course of a river, a meseta, etc.) abridging its pride and feeling of solidarity in seeing its market thus favored, converting it into an oasis of peace, a localistic tie which, overflowing the reduced limits of the jma'th, widens its notions of humanitarianism.

671 Look at how this admirable qanun shows in its first paragraph
443 the market as the temple where the agreement, the law of the people,
614
776

671
443 was drawn up, as the names of those who inspired it disappear into a
614 convenient anonymity as the generic "those of the clan", under the
776 otherworldly tutelage of Sidi 'Amran. As for being alive and present,
671 I consider that the jealous and rivalrous constituents of this saint
614 would neither have consented, however great his sanctity might be, to
776 figure expressly in this *qanun*; for such was the independent or anarchical spirit of this clan, that, having *iziddifen* or *imgharen* like all other clans, nobody wanted to see himself deferred or ordered around,
554 even in name only. There is no master nor, by the same token, are there servants, titles or honors. Only men and rifles, and only reality and harshness.

614
671 Nevertheless, *the common good succeeds in putting the clan's ideas into effect* (author's italics--i.e. "the common good makes them agree"), according to the expression of the first paragraph of the *qanun*, which reveals to us the amount of discussion and work that this would cost.

671 Rifian law grows, pacifying the minds of those who live by it, staisfying a need, not an ideal; and doing so as naturally as the waters of 'Ain Tihalalin, beside which it was made, slake the thirst of the wayfarer and even the clarity of both: the wayfarer and the law. For the function of the water and the function of the Rifian
[182] legal system was analogous: to cure, even though the cure was not always successful.

671
443 Rifian society, as this *qanun* proves, establishes a place of peace, a place which is *not* (translator's italics) the temple of God, the place of prayer and that selected by almost all other peoples, but the market and its environs, the temple of the merchants. This proves

671 This proves
182 that Rifian law tended to satisfy a need and not an ideal, as we have
443 just said; for further on, the qanun of the Aith 'Abdallah points out
796 a truce to be held on a given day, on Tuesday, the market day, and not on Friday, the religious day and the day of attendance at the noon prayer in the mosque. The day of peace is thus a layman's day.....

671 The law is simple. And hard. And sufficient to be encrusted with obligatory relief in the most refractory cranium of a believer, an objective impossible to obtain among modern societies. Nobody pretended ignorance, as all are wont to do or swear today.

There are neither aggravators nor attenuators, only consummate (and consummated) acts.

Paragraph a: They discount intentions, so difficult to prove
[681] and needing so much patience to investigate. They attain results more easy to prove and more quick to sanction (i.e. castigate) and be sanctioned, in conformance with their rudimentary law.

671 Paragraph b: A hard punishment; the liquidation of the mur-
682 derer, with the loophole that after his flight, the law may fatten on him. But it does not give a heavy punishment to his agnates, although it avoids impunity. It does not cease to be more humanitarian than other analogous qanuns, if indeed this custom is followed in reality.
[681] The gradation of fines is simple and even attempted murder is penalized.

671 Paragraph c: A typical example of the fact that Rifian law is only concerned with the external manifestation of the crime.

[681] Paragraph d: And so that the gradation of the punishment follows that manifestation as a shadow does a body, from the time that it is initiated.

671 *Paragraph e*: This paragraph distinguishes principals from accomplices or auxiliaries.

671 *Paragraph f*: A virile and rural society distrusts the veracity
181 of the so-called humanitarian sentiments, closing its doors to the intrigues which, under such a mask, provoke influential individuals to save their allies and other interested aspirations which mock the objectives that the law, to which they freely gave themselves, pursues.

671 *Paragraph g*: We have here a precise and exact detail, an ex-
609 cellent delimitation of a truce, a recognition of Rifian public law
628 (i.e. jural procedure) and interest protecting the stranger, to whom this law guarantees a wide and sufficient time of commercial activity and a prudent warning that he leave an open field to the fierce in-
671 ternal bloodfeuding. We have here a manifestation of the social unit,
609 the clan, which shows us its reality and consistency, which recognizes
614 a common interest and one superior to its own intestinal vendettas; and this permits it to guarantee to the neutral, to the stranger, a free passage and activity throughout its whole territory (author's italics).

671 *Paragraph h*: Two important additions are made here to the
695 hurried first draft. It is necessary, first, to guarantee the person of the accused against the passions of the moment, the outward appearances, the ill-will and the outright suspicions, by means of *evident proof* (author's italics), offering him the means of avoiding such passions by taking oath. And in the second addendum (Paragraph i) they list, furthermore, and completing it, the duration of the truce or time of peace.

671 794 212 In these childish (*sic*) legislators we may observe the suspicions and fears which the poor *tulba* plant with their confused drafts of these *qanuns*, drafts which they never succeed in becoming satisfied about; for they see themselves bound to the impossibility of correcting their vague and hazy language and can only modify it with addenda which for the most part only give rise to new and further confusions. But this is not the fault of the man who grasps his rifle, but rather of him who wields the pen.

671 [621] [623] [614] We see in this clan *qanun* how it refuses to concern itself with matters that fall within the exclusive competence of the *jma'th*, which has its own independent life[50], as the final step of Berber anarchy (*sic*). Thus, for example, it says nothing about irrigation, orchards or fields, hospitality, education, grazing lands, collecting and gathering, etc., and neither does it enter into private rights, personal and successoral law. It limits itself, rather, to regulating the coexistence of its component *jma'ths*, lineages and individuals in the only places where they come together (i.e. markets).

671 183 It is also to be seen that the social or public law which this *qanun* represents is inspired by norms which are more elevated through the non-admission of compensation, such as blood-spilling, in cases of common prestige (murder in the market) without, at the same time, ceasing to be inspired by norms more humanitarian than the private rights admitted by vengeance and reprisal, to which the codes of social units like this one are opposed,......

671 614 613 182 So that, while the *qanuns* of clans tend toward the clans' preservation, they develop solidarity, and neutralize the rivalries of

671 component lineage groups, for the practices of such groups tend to
614 disintegrate them through the violent opposition of the individual
613
182 interests of their members. The clan officiates as a soothing influence on the disorderly appetites of the lineages, patrilineally and patrilaterally united by the strong tie of blood.[51]

671 7. QANUN OF THE AITH 'ADHIYA[52] (AITH WARYAGHAR)

693 A) Qanun:

695
623 Copy.--Praise be to God. In the presence of both the under-
621 signed notaries, all those of Bani 'Adhiya (properly, Bani 'Aziya)
782 made testimony, both adults and minors (author's italics) who constitute the jama'as of the Ait Tazurakht, Ait ar-Rabda, Ait Kharbush, Ait Mnudh, Ait Ajdir, Ait (illegible)[53], Ait Ighmiren and Ait Fars, that they, when they went together to the tomb of the saint Sidi al-Hajj 'Umar, in ar-Rabda, sacrificed two bulls as an offering to him[54], (on the occasion of which) an act of reconciliation took place between them, with respect to murder, theft, pillage and other acts of this
682 kind. In case any of them should kill another, then all the above-
613 mentioned villages of the Bani 'Adhiya shall unite against him and burn his estate and that of his brothers (i.e. agnates); they shall drag them from their houses and exact from them a fine of 1000 duros.
682 This (shall be the case) if he should have killed outside the market[55]
443 or without witnesses (literally, "without a meeting"). In case he should kill someone in the market or in front of witnesses, then the procedure shall be as stated above, all uniting against him, burning his estate and that of his brothers (i.e. agnates), and taking from them, as a punishment against him, a fine of 2000 duros.[56]

685 In the same way, they agreed to impose fines for all damages or injuries which are caused, such as theft, etc.

Whoever should steal a sheep or a goat shall be fined 10 duros, and whoever should steal barley, broad beans, etc., from someone else's land shall be fined 5 duros.

681 In summation, all injuries or damages caused by one of them (the Bani 'Adhiya) against another (of them), a fine shall be levied from him, whoever (the party guilty) of the injury or damage may be.

671 In accordance with the above, their declarations were put
down, as they have been expressed and explained. Valid and complete
testimony. The parties who took part in the present agreement know
[693] the value of this agreement, and because of this, both the undersigned
notaries testify to what is set down and to the fact that they (the
Bani 'Adhiya) are in a perfect state of legal capacity (of sound minds
and memories) and that they are known (personally) to them (the
notaries).

805 On the second day of the divine month of Jumad ath-Thani of the
600 year 1332 (April 28, 1914). Servant of his God, may He be glorified,
'Abd as-Salam bin 'Abdallah at-Tafrasti, may God be benevolent toward
him. Servant of his God, Muhammad bin 'Aisa at-Taxurakhti, may God
be benevolent toward him.

B) Commentary:

671 This synthetic qanun of the Aith 'Adhiya, drawn up in conformity with the dictates of the purest tradition, contains within it suggestions analogous to the rest of the documents which we have studied.

[771] It is a pact (author's italics), by which those who have agreed on it must in future regulate their coexistence and traditional

671 law, a lay law ignorant of religion even though it speaks of the Sacred
771 Book, the irregular application of which, in such a recent and turbulent
period, leaps into view, proving that Rifian Islamization is superficial.[57]

671 This pact combines all the pleasant conditions of the Rifian
182 appetite. It is verified in the habitual place of reunion for tran-
[778] scendental acts, taking place under sacred protection, in addition
[782] to lubricating the agreement with the heathen rite of blood sacrifice,
[779]
[574] the Islamic promise of peace, and the feast day for the sober Rifian,
an enforced vegetarian.[58]

671 It brings together the mass of the Aith 'Adhiya, a subclan of
182 the *khums* (Rifian *thakhammasth*) of Aith Bu 'Ayyash; and democratic
614 practice advises this mass not to mention the name of any individual in
619 writing, as this might presuppose questions of distinction and preference, swelling their heads.

671 It establishes the *ddiyith*[59], fixing it at 2000 duros, the
182 maximum sanction which it is worth pointing out and imprinting in-
628 delibly in the minds of those who attend. This is a fabulous amount
681
[511] of money for the economic means of the people to whom it relates; and
it is accepted as much out of the respect which radiates from it as
from being generally admitted in analogous pacts of which they have
news in neighboring districts.

671 It must be pointed out, in order to avoid the confusions which
628 can arise from the different editorship of the *qanuns*, that the real
681 *ddiyith*, or *blood money* (author's italics), does not, in reality,
184
443 differ anywhere throughout the Rifian mountains, and must be valued at

671 628 681 184 443 1000 duros[60]; for the double amount of 2000 duros which appears in certain *qanuns* refers only to a single case and to the place in which the crime is committed--the *suq*, or tribal market.

681 619 443 In this single case the 2000-duro fine is imposed, and the reason is simple: the crime in these conditions and in this place reaches out to attack not only the prestige of the tribe but the common interests of Rifian society, and endangers them gravely; for, naturally, when news of the crime is spread by the regular constituents of the market, this keeps away the merchants from other places who have received word. This, in turn, brings about a commercial *blockade* (author's italics) of the tribe, which originates from insecurity of persons and property; for rare is the occasion that the tumult which murder and woundings bring about does not end up in pillage.

681 For this reason the Rifians saw themselves obliged to cut down rigorously and to threaten with heavy sanctions any crimes of this magnitude and kind, the gravest in the society. The *ddiyith*[61] is 681 628 682 614 619 443 613 therefore doubled in this case. We have here the reason, distinctly made, why, in my opinion 1000 duros must be established as the fine for homicide (a sanction which the clans of the Aith 'Abdallah and the Aith Bu 'Ayyash both establish and which we encounter in the *ribat*, or agreement, which allied such tribes as the Sanhajans of the Aith Siddath to the Aith Khannus, and the Bni Gmil to the Bni Bu Frah), and a further 1000 duros for homicide committed in the market; for the damage and disturbance affect not only a single lineage, but are prejudicial and shameful to the whole tribe, which by virtue of the laws of reprisal and blood-vengeance must fatten on any man who forgot his duties or obligations to it.

628 After the fixing of the ddiyith[62], there is the most laborious
671 agreement and the most hurried need for its enforcement; and the rest
673 of the resolutions have no objective other than that of embellishing
681 this, establishing a graded scale in conformity with the external
manifestations of lesser crimes, which the Rifians did not deem
necessary to put down in detail in their qanuns, in order to facili-
tate an easier mnemonic retention of the principal transgressions and
resultant fines.

671 It points out theft with an admirable simplicity, according to
685 what is stolen, and it doubles the fine for a rustler of domestic
231 animals, a fact which follows the logical economic notion of the
556 Rifians of presenting such animals as the most esteemed source of
wealth, as among nomad tribes.[63] It should be remembered that in the
178 old Rifian society, the consumption of meat was limited by the scarcity
262 of pasturage to Fridays, the holidays and by physiological needs, and
231 was regulated by the common sacrifice of animals and by compensating
224 hunts on fixed days.

If the meat supply diminished and they considered it indis-
pensable, it would be completely natural to take precautions to pre-
685 serve it.....For precisely this reason the Rifians judged the theft of
673 animals as a greater crime than that of grains, and sanctioned it ac-
cordingly.

671 8. QANUN OF THE AITH KHATTAB[64] (AITH WARYAGHAR), ESTABLISHING THE WEDNESDAY MARKET, AND GENERAL QANUN

A) Qanun:

Praise be to the One God. When peace reigned (literally,

671 "when they were under God's protection") among the notables of the
Bani Khattab situated on the seacoast[65], God made them assemble, both
adults and minors (author's italics), and made them put their ideas and
443 criteria into agreement. Then they established the Wednesday Market
[778] (*Suq al-Arba'*) in front of the tomb of the saint Sidi Bu 'Afif[66], so
that it would be a benefit to the poor as well as to those who should
desire prosperity.

May God make concord (and harmony) endure among them, and may
443 He solidify (i.e. render prosperous) their market. The estab-
554 lishment (of the aforementioned market) was due to the blessed *sharif*
Sayyidi Ahmad bin Sayyidi Misa'ud[67]--may God make the whole tribe happy--
and to the following persons of Ajdir[68]: to the opulent and considerate
Shaikh Muhammad Shiddi, to the Qa'id Sayyid Bu Bakr bin al-Hajj Muhammad
Ushshan, to the Murabit Muhammad Ashahbar al-'Azizi al-Ghalbzuri and
to his neighbor Shaikh al-Hajj Haddu bin Tahir u Musa w 'Amar, to
Shaikh Haddu bin al-Shaikh Hammu Taqal'ait Amhawl, and to Shaikh Haddu
bin al-Hajj Muhammadi. All these *shuyukh* are those who brought their
criteria and aid (for the establishment of the market), and above all
of them (is the worthy help) of the *sharif* Sidi Ahmad.

Each of the *shuyukh* designated those who had to help them in the aforementioned market; these helpers are their brothers (i.e. the people who fall under their jurisdiction) and have to be the first to arrive at the market and the last to leave, in order to safeguard it from prejudice, harm, danger, evil and brawls which might occur in it (i.e. within its limits).

660 For example: whoever, in the market, should attack (someone)

682 For example: whoever, in the market, should attack (someone)
443 and should kill him shall be fined 500 duros[69], and if, in attacking
he should miss him (i.e. if the bullet should fail to reach its mark),
685 he shall pay 200 duros. Whoever should take justice into his own hands
443 on the path to the market shall be fined 50 duros and shall return whatever object he made off with. Of those who should incite riots with
689 shouts and gunshots, as (happened) to the people of Tafrast, Ait Musa
w 'Amar (both in the clan of the Aith 'Ari) and to the people of Ajdir
(in the clan of the Aith Yusif w-'Ari), each one shall pay with his
689 death (literally, "with his neck"), that is, he must be shot. Whoever
443 should be discovered in the Monday Women's Market (*Suq ath-Thnain n
562 Timgharin*, at Azghar) shall be forced to pay 10 duros.

671 This is what has been decided (for fulfillment) of justice in
443 the above-mentioned market. May God, for the common good, put into
agreement His ideas and the criteria of His lords (of the market).
689 Punishment shall seek out anyone who should wish to provoke riots--
may God in His power make him meet his end.

000 The abovementioned *shuyukh* have worked with good intent, with the idea of being useful. May God cause the miracles of the saints to be manifested, and of the saint of the tomb situated in front of the market (i.e. that of Sidi Bu 'Afif).

Each of the abovementioned *shuyukh* designated among his brothers (i.e. among the men in his jurisdiction) those faithful to him (i.e. those who constituted his escort and supported his decisions), as for example: the Shaikh Murabit Muhammad Ashahbar designated among them the Murabit bin Muhammad bin 'Abdallah Bu 'Azza; the Murabit Hammu bin al-Hajj Muhammad w al-Qadi; 'Umar bin al-Hajj Tuhami Adardush; Muhammad

000 bin Haddu w al-Qadi; Shaikh al-Hajj Haddu bin Tahir; Muhammad bin Taghdart Aswiq; Muhammad bin 'Aisa Aswiq; Muhammad bin al-Hajj Aswiq; Haddu bin Hammu Ihaddushen; 'Umar bin al-Hajj Muhammad u Haddu; Muhammad bin Bu 'Azza Hankur; Muhammad bin 'Allush; Siddiq bin al-Hajj Muhammadi Bu Minqad; and from the Imrabdhen, the Murabit 'Alibin Muhammad bin Haddu w 'Ali al-Ghalbzuri. The brothers (i.e. the faithful ones of the same jurisdiction) of Shaikh Haddu bin Hammu Taqal'ait are: Muhammad bin al-Hajj Muhammad bin al-Hajj Shu'aib; 'Umar bin Muhammad Marsaq; al-Hajj Hammu bin Haddu bin 'Ali; Muhammad bin Muhammad bin Muhand al-Mujarrad; the Talib Sayyid Bu Khiyar; Muhammad bin 'Aisa Am'aru; al-Hajj Muhammadi bin Muhammad bin 'Abdallah of Ait Ahmad u Yahya; Sayyid Haddu bin Tuhami Itarhush; and Muhammad bin Shu'aib bin Haddu al-'Arabi. By the same token, those faithful to Shaikh Muhammad Shiddi and to Shaikh 'Ali Azarqan are: the opulent Muhammad Abuqquy; the Faqir Muhammad bin Haddu bin al-Sayyid 'Umar; Hammush bin al-Sayyid Muhammad; Hammush bin al-Hajj Muhammad bin 'Abdallah; Muhammad bin Haddu bin Dahman; 'Abd al-Karim bin 'Umar; 'Abd al-Hadi; al-Sayyid 'Abd al-Karim bin al-Hajj Misa'ud; al-Sayyid Muhammad bin al-Hajj Muhammad u Yahya; al-Sayyid Misa'ud bin Muhammad w 'Ali Haddu bin al-Hajj 'Umar u Haddu; al-Ra'is 'Ali bin Muhammad bin 'Ali; al-Sayyid Muhammad bin Muhammad bin Muhammad w 'Aisa; Muhammad bin al-Sayyid Ahmad; Amghar al-Sayyid 'Umar; al-Sayyid Muhammad bin al-Hajj Budra; Shu'aib bin 'Aisa; the Shaikh Muhammadi bin al-Sayyid Muhammad bin Muhammad Budra and his brothers; the Shaikh Muhammad bin al-Shaikh; Muhammadi bin 'Ali bin al-Sayyid Muhammad; Muhammad bin misa'ud bin Salim; Hammu bin Haddu

000 Taqal'ait; and Muhammad bin al-Hajj Hadidush. All these are faithful (adherents) who are under the orders of their shuyukh, each one (obeying) the orders and countermands of his shaikh. May God help them and put them into agreement (i.e. make them agree) for the common good, because in this is founded the pleasure of God; may God cause all to stay in power, with His protection and generosity.

[805] At the end of the divine month of Rabi' al-Thani of the year 1325 (June 10, 1907).

Servant of his God, may He be glorified, Mhammad bin Muhammad bin Mhammad al-Ghalbzuri, may God be benevolent toward him. (Signature).

B) Commentary:

671 This qanun, following the criteria by which the others have been analyzed, appears the least suggestive, due doubtless to the redundancy of patronyms which it contains, none of which the editor, who is a perfect chronicler of this society, dares suppress in his personal adulation, while he forgets to consign with analogous detail the principal material, the punishments of crimes which are the object of the industrious and complex body politic.

000 He would have been capable of writing the names of all his constituents, surpassing his own record, which he undoubtedly left established with such an interminable list, the reading of which few could finish, from not doing it with the derisive tone and with the falsetto voice to which they are accustomed, revealing the affected, pompous, superficial and routine mentality of the Arabic schoolroom, very adherent to form but exempt of content[70], which the pure Rifian

000 knows how to listen to, attentively and curiously, with a composure, artfulness and incomprehension which is charming, so that he may interpret it later on according to his whim, and with such freedom that no one could recognize it if there were anyone in this happy land to whom the idea of losing time through research might occur.

The memory of Rifians is of a shocking fragility for whatever does not interest them or is lacking in precise outline......

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671
212 How many disputes and fights the *talib*-editor might have avoided if he had had the least idea of the transcendence of his writing and of his notarial function, and if he had listed, instead of his dull litany of names, that by which "they established a *qanun* for all in general", from which he shows no more than *four examples* (author's italics), and these very entangled!

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212 Undoubtedly the first man to be convinced of his uselessness and transitoriness as a legal recorder was the neglected *talib*-editor himself. He would not judge it opportune to bother about this, knowing the slight value which Rifian society attached to proof written down by the cunning *tulba*, to whom it only apportioned snares and delusions. Perhaps intentionally in order to convert himself into the sacred repository of all the juridical sciences of the Aith Khattab, a pre-eminent post, he saw himself as an obligatory consultant for all the disputes among his forgetful constituents, for these would require his testimony and assure him of a certain measure of preponderance, especially sacerdotally, aside from an obligatory invitation to a final meal. All conjectures fit, from that of ignorance to that of gluttony. What is certain and unpardonable is that this voluntary omission deprives us today of tasting the needs which they felt and the form in which they sought to remedy them.

000 sought to remedy them.

671 This *qanun*, from a social standpoint, shows certain differences
671 from the others. We may appreciate, for example, in these men of the
181 Mediterranean coast their greater contact with European civilization,
[177] how they struggle to rise from the mass, emerging from the anonymity
in which the ritual words "adults and minors" are apt to encircle
them, from these words which in many *qanuns* designate those who attend
their council meetings, from which there only stands out in any decorative fashion some religious individual (i.e. a *sharif* or *murabit*),
which was more in conformity with their communistic (*sic!*) society.
181 In the same manner as today, the city dweller wishes to rise from
369 the rural mass, holding on with doubtful pleasure to the easy means
554
177 of using shoes, visiting cards, gloves, tombstones and cigarettes,
369 in the European style. The city dweller, by the mere fact of lengthen-
554 ing his *jillab*[71] and putting on shoes, if not sneakers[72], considers
291 himself on a higher level than his rural fellow-countrymen, although
his mentality is analogous and his virtues inferior.

369 The countryman has an opinion of the European which borders
829 on indifference, as he neither feels cravings to imitate him nor ape
his manner. The city dweller envies the European, and for this reason
he imitates him and hates him.

369 Thus the vivacious city dwellers, when they wish to gain the
sympathy of their fellow countrymen and, on being forced to intern
themselves in the country[73], try to imitate the latter ostentatiously[74]
......although this by no means lets them succeed in escaping the
ironic judgments of these astute countrymen.

671 Abundant in these ideas, we may observe how in the first lines
554 of the *qanun* some names are adorned with the honorific titles of *shaikh*
and even *qa'id*, titles which fit the members of this society as well as
two pistols do a saint, for not only did they not realize nor did anyone
admit the roles which in Arabic correspond to such titles, but, as can
be appreciated, the nominal *qa'id* (i.e. Sayyid Bu Bakr bin Muhammad
Ushshan) does not occupy the first place, which he not only had to
yield to the opulent and considerable Shaikh Muhammad Shiddi, but to
crouch behind another, second *shaikh*, 'Ali Azarqan, and we finally
discover him in third place modestly lost among the notables: *the
adults* (author's italics), with this single, authentic and legitimate
representation: that of his lineage (family group) or *dharfiqth*, and
all the rest, of the social group or *jma'th*.

It may be observed that this is the only *qanun* in which the
imaginary personage of the *qa'id* is expressly stated; his title and
role are as unreal as all other Arab ones in the Rif, whether they be
called *bu mwarith*, *ukil l-ghuyab*, *shiyukh*, *mqaddimin* and even *qudat*
181 (pl. of *qadi*). These people did not look toward Fez nor toward the
circumference of the Rif, but toward its center, toward the interior,
614 toward their villages. There was no power other than the assembly,
the *agraw*[75], the council of elders. For this reason Rifian society....
121 could have previously been considered concentric.[76]

671 We may also see the coincidence that this *qanun*, the only one
554 in which the term *qa'id* appears, is also the only one which contains
693 that of *amghar* among the last names (ninth to last) as well as that of
ra'is[77], and it reveals to us how the *tulba* of the Aith Waryaghar, who

671 surprised Raisuli so much later on[78] when he saw their warlike pro-
554 clivities, were employed in an executive capacity so far from their
693 real profession.

671 If we consider the time in which they were drawn up, quite
779 recently, this would show us these apparent confusions as a more
advanced state of Islamization.

671 Going further in the reading of the qanun, we notice a con-
fused editorship or translation in the examples which it gives us.
We do not know if we are commenting on a qanun, the Rifian penal code,
671 or a shooting match. Why is it that if a man wounds someone in attack,
683 he must pay a fine of 100 duros, and if he misses him, he must pay
double that amount? Because of his poor markmanship? But then in-
stead of limiting aggressions, of tending to diminish damages and
injuries to the individual and to society, were the Rifians thus
impelled to aggravate them with this exhortation to perfect markman-
ship, a stimulus to murder? Undoubtedly there is much confusion
here, and I myself am not certain how to explain it.

681 Common prestige and experience arm them and cause them all
443 to watch over and keep their guard against each other, stipulating the
severest punishment, above their own individual interests, for those
who attack in the market. They consider this a crime against the
[619] tribe, the worst crime in Rifian society, which is paid with violent
[673] death, without admission of the compensation which another qanun of
the Aith Waryaghar[79] mentions, although this does not do so.

671 This qanun also shows us a very curious aspect of Berber
society, in general and of Rifian society in particular, as we have
commented above.

562 commented above. Two societies live together in perfect harmony among
671 the Rifians: the masculine and the feminine. To the latter, as in
most modern societies, it reserves free and sure places for women to
gather, the legitimacy of which is expressed in this *qanun* establishing
sanctions against intruders, a fact which guarantees the tranquillity
of both the ones and the others (i.e. of both women and men).

562 This persistent and good custom is no less faithfully observed
183 today, and within the last ten years (ca. 1930) there has been only
794 one attempt to go against it, made by a young *talib* of Ibuqquyen, soon
443 discovered under his disguise by the women themselves (after entering
689
178 the Monday Women's Market at Azghar in Aith Waryaghar), who handed him
over to the *mkhazniya* services, and from there he was sent to jail at
562 the administration office of Izimmuren (Ibuqquyen). The women's
443 markets are still held in the same places and on the same days as they
178 were hundreds and thousands of years ago.[80] The Aith Waryaghar, very
183 attached to their traditions, reserve and guarantee for their women
special meeting places, a fact which speaks highly in their favor.
Other tribes have now lost this custom and today there remain only the
names of the places in which these women's markets were held.

671 In the *qanun* discussed here there can be discerned a body of
doctrine, a community of ideas, an analogy of customs which is precisely
what forms the so-called Berber Bloc, with needs and identical
means of remedying them. The details may vary, as may the amount of
[184] the fine and its order in the drafting of the *qanun*.....but the fundamentals,
[681] the acts which they considered reprehensible, those which
merit punishment, did not vary, nor did the recording of the *qanun* and
the proportion, in context, of the fines.

000 the proportion, in context, of the fines.

671 There are no offenses against the form of government, nor
687 against religion; more aptly put, there is no need to invent such
688 offenses, nor, by the same token, any punishment for them, because
184 all are agreed in such questions: republic and Islam.

184 This unanimity of opinion among the different groups of legis-
614 lators in the diverse clans of the tribe proves to us their (relative)
619 independence, and this is one of the ties which gives the tribe its
671 form.[81] It is clear that if individuals and families respond to a
602 private common law, the associations of these kin groups, the (unilinear) principles which link them together, and their common law could not be very different, given their proximity (i.e. to each other).

671 These qanuns, which are the most outstanding signs of the
614 rudimentary (sic) common ~~of~~ public law of the Rifians, reveal to us and define better than any other consideration (i.e. aspect of Rifian life, or institution) the reality and importance of that social unit, the clan, both a truly independent state and the ancient fatherland (patria) of the Rifian; and the whole of this, the ensemble[82], explains the Rifians' capacity for resistance in the struggle against any invader through the multiple compartmented monopolies (i.e. clans), each of which was opposed to the other, at the same time as it showed impotence and weakness to the outside (world).

671 These lay and democratic laws, full of suggestions, show the
619 Rif to be a land of custom, forming, as Montagne shows so clearly for
181 other Berber groups[83], a mosaic of minute independent republics, in opposition to the Moroccan Empire, with its rigid sharifian organization and administrative framework of qa'ids; for the qa'id is, as we

671 have just said, a personage who does not show up in any *qanun* as dis-
619 charging his office or as even providing the most minimal and non-
181 transcendent representation, for in the one *qanun* in which we finally
discover him (the *qanun* commented upon here) we have already shown that
he hides himself modestly and even effacingly behind the camouflage of
619 two other *shiyukh*. The result is that not even in the big list, in
554 the listing of "the fat ones" (i.e. the enumeration of the clan brothers
of each of the *imagharen* of importance), does this ambitious man gain
first prize, the individual who seizes this being an opulent and lay
tribesman whose preeminence clearly gives a clue to the psychology of
the *talib* who drafted the *qanun* as well as to that of his constituents.

619 And, reflecting upon bases like these, it is well to ask what
648 reasons or exigencies the first protectorate functionaries felt, dis-
counting both imitative and ignorant ones in order to orient their
policies toward big *qa'ids* who, even if their stature has been dimin-
ished, are no longer to be seen for sure anywhere.

To impose upon the tribes more or less significant personalities, representatives of concentrated power, when, subdivided *ad infinitum*, they unite in their opposition to all types of personal power, is always an ungrateful undertaking and one full of surprises, as practice has shown us....when power is imposed from above.[84]

642 In the Rif, where all are personalities, only a mass-oriented
political system, and not one oriented toward individuals, can bear
fruit.[85] The enforced utilization of one or even several dozen persons
of some importance serves no purpose if this does not benefit the mass,
taking up its aspirations and satisfying its needs, anxious for freedom

R 642 and justice, and so opposed to sharifian and Qur'anic feudalism in theory and practice......

S 671 9. QANUN OF THE TRIBE OF AITH SIDDAT[86]:

A) Qanun:

S 619 681 Praise be to God. The tribe of Bani Siddat convened to agree that (Blanco: note a) whoever should commit a murder in the above-mentioned tribe shall pay 500 duros, (Blanco: note b) but in case several (individuals should be involved in the commission) of the crime, each one shall pay the above quantity of 500 duros; (Blanco: note c) that, if a thief should penetrate the house of someone and be killed by the owner of the house, there shall be no way in which proceedings can be brought against the latter except if there should previously have existed some matter (of disagreement) between both, in which case (the abovementioned owner) shall have no recourse other than to make good what was established in the agreement; (Blanco: note d) any individual, in case he should attack someone, although the attack be frustrated, and in spite of the fact that he be repulsed and killed, shall pay what has been agreed upon, (Blanco: note e) and against the one who repulsed him there shall be no way in which proceedings can be brought; (Blanco: note f) whoever (should fire) a shot shall be fined one-fourth of the amount agreed upon above, and (Blanco: note g) whoever inflicts a wound shall be fined one-half; (Blanco: note h) whoever should attack with stones or wound his fellow man (literally, "brother") shall be fined 50 mithqals and 1 duro in the coinage of Makhzin; (Blanco: note i) whoever should insult a woman with obscene and dishonest words shall be fined 50 mithqals and 1 duro

619 681 in the coinage of the Makhzin, that is, 15 duros; (Blanco: note j) that everyone, in what he does, must act in accordance with Islamic norms of conduct, with nobility and not with wickedness; (Blanco: note k) and that whoever assists another (in committing these established and punishable acts) will be fined 50 mithqals.

619 693 805 What has been set down is what the abovementioned tribe has agreed upon, to which those (the 'udul) testify in complete form; they, with the abovementioned tribe, attended such an act, by which, by virtue of and in tenor with the contents of the same, they extended their testimony in behalf of the party who required it of them (i.e. the councilmembers of Bani Siddat), at the beginning of the divine month of Rabi' al-Thani of the year 1323 (June 6, 1905).

000 Servant of his God, may He be glorified, 'Ali bin Ahmad, may God be benevolent toward him, amen. (Signature). Servant of his God, al-Hajj Muhammad bin al-Hajj Muhammad bin Ahmad bin al-'Arbi, may God pardon him, amen. (Signature). Servant of his God, Muhammad bin Muhammad bin 'Aisa, may God be benevolent toward him, amen. (Signature).

B) Commentary:

671 184 This qanun of the tribe of Aith Siddat shows us.......that if the Rif, topographically, ethnically, linguistically and spiritually, presents (cultural) characteristics sufficiently well-defined for a clear delimitation, this does not imply a rigorous similarity of its component institutions; for even within its cultural borders it is easy to spot local differences, even though in no way do the latter affect or diminish the standing of the Rifian group as a well defined entity within the Berber Bloc, the most outstanding features of which it accentuates.

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif
Senhaja MX4
Aith Siddat

671 Drawn up by the Siddatis, this *qanun* functions as their law;
619 and we might say here that Aith Siddat, although considered today as
[175]
[614] an independent tribe, in reality functioned only as a clan of the
Sinhaja Srir in the past.[87] Thus we continue to see in the Rifian mountains a true autonomous state, embodying its own legislative and executive power, as the earlier *qanuns* of the different clans of Aith Waryaghar have already shown us.

671 As with the *qanuns* of the Aith Waryaghar, that of Aith Siddat
62 does not descend to details which convert it into a statute of the
623 *jma'th*, usurping or invading the prerogatives of the latter. The *qanun*
[171] of the Aith Siddat only provides general norms of public or common law, and it only tries to regulate and impose general rights and duties without becoming involved in relations with families and their neighbors, or in religious questions.[88]

671 For this reason, like all *qanuns* of this category, it estab-
682 lishes, in the first place, the *ddiyith* (Arabic *diya*) or blood price[89],
681 which is the heart of all common law in the Rif, the norm of regional coexistence from which all the rest are derived and which is the best possible index to the evaluation of such law.

681 The initial datum, the point of departure and the comparison
182 on analyzing Rifian society and the relationships of its component
614 parts......must be that of the *ddiyith*, for the reason that it not only can reveal the degree of internal decomposition to which the anarchical (*sic*) autonomous existence of the clans led and contributed, but it can also explain to us several other aspects of such a primitive society, including that of the simple mechanism of its legislation.

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[88]--As the *qanuns* on the *jma'th* level do.
[89]--Here again, Blanco mistakes the *ddiyith* for the *rhaqq*.

682 Thus we see that while the Aith 'Abdallah, a clan devastated
184 by internal feuds, fix the *price of a life* (author's italics) at
[578] 10,000 pesetas, a fabulous sum at that time and for those people of
[511] such meager economic means, in order to terrify them and to limit
their virile impulses toward vengeance, the Aith Khattab and this
qanun of the Aith Siddat upon which we are commenting at present
184 set it at one-fourth this amount (2,500 pesetas). This proves to us,
681 along with the independence of the clan, as such, the unity of doc-
671 trine in the region and, that partly because of the greater unity of
(the Aith Siddat), their discords, being minimal or at least less
frequent in homicidal results, could through lesser occurrence enable
the law to become more humane through a decrease in the fine and, in
addition, a suppression of the implacable "razzia" (i.e. houseburning)
to be found in the *qanuns* of the Aith 'Abdallah and Aith 'Adhiya.

On the other hand, the Aith Siddat, like the Aith Khattab,
689
683 saw themselves obliged to try to establish a greater public morality,
443 by making it a punishable crime for those who showed lack of respect
562 to women; and the two respective *qanuns* reflect this, for that of the
671 Aith Khattab punishes with a 10-duro fine anyone who might try to
[184] attend the women's market and thus reserves a fixed and sure gathering
place for the weaker sex, while that of the Aith Siddat imposes a
20-duro fine on anyone who should grossly insult them, thereby guaran-
teeing them a minimum of public respect which presumably civilized
countries have not yet attained.

671 As we have said and as this *qanun* confirms once more, the most
619 transcendental act in the Rifian mountains was the *igrawn* or council-
681
443

671 meeting of a tribe in the *suq* or weekly market to establish the basic
619 443 pact, by which, in what followed, its internal relations were regu-
681 lated; for in the same act the *ddiyit* or *blood price* (author's italics)
681 was established. This, the punishment of the murderer, was the basis
614 212 of all the rest of the law of the clan, and it was afterwards developed
671 into a more or less detailed and precise written law.[90][A]

Aside from this high initial amount, it dropped rapidly and
673 671 strongly in order to set up the lower punishments, embellishing the
681 importance and gravity which Rifian society conceded to such acts which
they judged prejudicial and harmful to the social order or simply poorly
thought of like those for which it tried to effect solutions and which
can be summarized here:

a) offenses against persons (aggressions)

b) offenses against property (thefts)

c) offenses against custom (all the rest)

......The scale of fines, the punishment, continues as the external manifestation of the offense shows.

[682] Thus notation (a) fixes the *ddiyith*[91] in cases of murder.

[683] Notation (g) points out that only half of the *ddiyith* is paid if only wounds have been caused.

[682] Notation (f) indicates that one-fourth of the *ddiyith* be paid for attempted homicide or for frustrated attacks.

671 If we compare this *qanun* with the earlier ones commented upon,
681 we may observe that if the fixed amount as *blood price* (author's italics)
619 184 differs according to the tribe in question, the proportion in which it
is applied in the three resulting cases of attack is invariable, a fact

[A] [For footnote, see p. 404--Analyst]

[91] --For *ddiyith*, read *rhaqq*, and the same for the rest of this *qanun*.

671 681 619 184 which shows the only notion in the region, among Rifian penalists, to determine punishment.

682 673 171 Among Rifians, then, as in more advanced countries, the maximum penalty is given to crimes of bloodshed, in response to the instinct of conservation.

671 685 673 681 Offenses against property follow in importance, but they are already relegated to a lower plane, which, at the maximum, does not rise above one-tenth (1/10) of the ddiyith; and this only in the gravest imaginable case, theft in an uninhabited area, an offense which in other qanuns is not even fined one-fortieth (1/40) of the ddiyith, a fact which demonstrates a lamentable frequency and a need to which the Rifians, in their imperfect social system, had to resort in order to make amends for uncollectible debts, by taking justice into their own hands in the face of the....attitude of their representatives on enough occasions, rendered impotent by their disagreement, in order to get at what they wanted.

681 671 182 The result is that the smaller punishments imposed, even though being the highest on that level, show us that a sufficiently frequent practice was the seizure by violence of the belongings of one's neighbors, a fact which indicates to us an alarming insecurity in transition. Moreover, we do not see in it, as I say, a degeneration in the manner of the European burglar or the American gangster, but a logical consequence of the Rifian's rudimentary (sic) economic institutions, which in addition lack official functionaries to watch over the security of property and persons.

181
167 They were too good and honorable to see themselves die out, with no fear other than that of the market announcement and without guards of any sort, on a most miserable land, which their way of life made habitable only through emigration[92] and epidemics taking care of the surplus population.

Clearly, bound to necessity, it incited the envy of more than one individual, considering the very slight severity of the punishment, the possibility of concealing the offense and the difficulty of proof, for which reason the people took refuge in traveling to places unknown to them on days which were not market days, without taking natural precautions.

671
685 The qanun of the Aith Siddat shows us, in notation (c), the offense of house-breaking, with a concise and admirable clarity; it recognizes for the owner of the house the right of violent opposition, a previous guarantee to the society that neither a difference of opinion nor known resentment shall mediate between them.

671
682 By the same token, notation (b) indicates and punishes the accomplice with the same penalty in offenses in which blood is drawn as does notation (k) with 50 mithqals in the rest of the cases.

And finally, in notation (d), the right of legitimate defense is established without the slightest doubt.

671
562 If in each one of the qanuns in this volume it is easy to discover its characteristics and, knowing the region, to find out what each one conceals, to explain what it says and the reasons which it gives for doing so, we must point out, in the present qanun, the interest which the Aith Siddat maintained in enforcing public respect

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[92] --The reference here is primarily to Rifian labor migration in Algeria.

S 671 562 toward women and the exhortation which they conducted at all times with nobility and without wickedness.

685 673 On the other hand, we see that in contrast to their fellows of Aith Waryaghar, they neither list in detail nor excoriate cases of theft, a fact which might give rise to the notion that, among them, such actions were no longer considered pernicious. This is not the case at all. Poorer than the Aith Waryaghar, the Aith Siddat must preserve their property with greater zeal, from whence the right of legitimate defense against the aggressor who would try to seize something from them in a field or path, and the right to kill anyone who should penetrate their houses, the only place where they guard their possessions.[93]

S 673 735 271 The picking of fruit or vegetables in a field or garden in
order that a poor man might eat has never been considered an offense
by the Rifian, who puts waterjugs along the mountain paths for the
S 443 thirsty traveler. In addition, the border market of the Aith Siddat
491 and the fact that their geographical location lacks commercial roads
671 are the reasons which, in our opinion, can explain the apparent oversight in listing actions which it is everywhere else desirable to curb.

R S 671 619 681 648 10. EXAMPLE OF A LIFF[94] BETWEEN TWO TRIBES (BNI BU FRAH AND BNI GMIL):[95]

A) Qanun:

Praise be to God. In the presence of the witness instrumental to the present act and on the day of the date (below) in Dar al-Zikhlif, there appeared for judgment in front of the above notary certain determined members of the Awlad Sa'id of Bani Bu Frah, of the Awlad Ghadura and Muhammad bin al-'Arbi and his allies on the side of their brothers, R S 671 619 687 648 the people of Bani Dar al-Zikhlif, the people of Agni, the people of the Awlad al-Hamdi ibn al-Qadi of Qubi'a, the people of Iharmen, the people of Igzinnayen[96] and the people of Bani Gmil, all agreeing among themselves, with respect to the defense of the border, (to impose) a fine of 2000 duros upon any of those mentioned who, in case of war in Dar al-Zikhlif, should flee through negligence (at a time when cooperation in border defense is needed) or should even proceed with cunning (in order not to fulfill the agreement), for which he shall pay the sum mentioned earlier in the present document.

R S 687 614 648 The allies of Muhammad bin al-'Arbi and the Awlad Ghadura who flee back to their homes in Dar al-Zikhlif shall pay the above amount to each one of the clans. A sum shall be levied from their hands by those indicated in the earlier part of the present document. Those of both clans mentioned who would appear for judgment in the act and combat against their own (people) remain exempt from payment[97], (the justification of) this procedure being that it is the only way to impose brotherhood and unity, and to cause extralimitation against them to cease.

000 He who attended the present agreement with both parties and heard from them what was agreed upon extended this to the requirement of those who solicited it.

At the end of the divine month of Rajab al-Fard of the year 1336 (May 9, 1918).

Servant of his God, (illegible).--(Signature).

R S 671 648 B) Commentary:

The above qanun, as a perusal of it indicates, represents an

R S 671 648

alliance between the people of two distinct tribes, the Bni Bu Frah and the Bni Gmil, or, more specifically the clans of Agni and Ulah S'aid in the first tribe and their neighbor Bni Gmil[98], situated in the hollow of the upper basin of the Wad Bu Frah.

R 3 648

This alliance has as its objective more than just the defense of the border, as it points out, for it guarantees the lives and property of its constituents along the tribal frontiers, as these, in the Rif, do not have the stability which they do, for example, among European states, because purchasing of land, principally, renders them extremely mobile.[99]

R 616

These alliances (lfuf) have a significance and a mechanism among Rifians which we have already attempted to assess in the first part of this conference.

The liff, the origins of which are confusing and the development of which is complicated, is difficult for a European to understand; but nevertheless, it attracted us greatly as the center-piece in the life of the Rifian mountains.[100]

The way I view it, the liff is not a social institution, nor does it fit into the family institutions already considered with reference to the kin group; and this is because it binds together different social units, as in this instance, rather than individuals of different families.[101] The liff is more of a political institution and it represents in Rifian political life a complementary force of higher and intermittent action. Perhaps it may have been the real regulator (author's italics) of Rifian life, not coming into play until other forces became rarified or became disturbed. For this reason, to my way of thinking, it is so important.

616
613 While relationships with one's own and neighboring lineages, regulated by tradition, were maintained, the liff did not plead permanence as a hope of reward, but whenever injustice or violence, ripping up their pact or norms of coexistence, left an individual or his lineage-mates helpless, these latter attained in the liff a final support for their rights and in all cases a secure material refuge for their persons and possessions.

616
779 The liff must not be compared to European political parties (author's italics), for these are activated under a religious aegis or under a governmental form, both things being ones which did not enter into the preoccupations of the Rifians, for whom republics and Islam were points which did not admit controversy even in the slightest degree. Destined to a rude struggle for existence in a harsh and miserable environment, the speculations of the spirit had neither place nor occasion to make themselves felt in the fact of the other, primordial and undeferable.

616
182 To any presumed victims the liff was the best guarantee and forewarning, as through it individuals and social units were forced to bring about the alliances (author's italics) which they deemed necessary in order to oppose adverse forces; and thus they insured their own existence.

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613
619
182 The mechanism of the liff worked the miracle, in the anarchical (sic) state of Rifian society, of permitting the coexistence of the family or kin group or social unit (i.e. the lineage, on whatever level), as small as it might be, among others more numerous in point of population with no diminution of its integrity; and this fact permitted the

616
613 survival, up into our own time, of insignificant tribes, true Rifian
619 Switzerlands, authentic islets, like Thafarsith, which were sur-
182 rounded by powerful neighbors.

616 Thanks to such a mechanism, the individual within the family,
182 the family within the *jma'th*, the *jma'th* within the clan, the clan within the tribe, and the tribe within the area or region all attained an unstable equilibrium, but an equilibrium, nevertheless, from start to finish, the most curious facet of which was expressed in the linkage of clans and in the two great rival bands of the Ghmara and the Sinhaja.

616 I am unable to determine whether the *liff* was the cause or
121 the result of the fractionization which Rifian anarchy brought about, populating the mountains with a real mosaic of small autonomous states which were grouped into two rival bands and equilibrated thanks to the linkage of the *liff* system.[102] Many reasons could be given for one or the other theory.

616 It is certain that the *liff*, in the Rifian ethos, is a mysterious and powerful force, to which the tribesmen submitted body and soul, if one might say so without necessarily admitting a comparison of European methods of alliance.[103]

671 This *qanun* offers further proof in support of the fact that the
614 clan in the Rifian mountains was an autonomous state within the tribe.
619 Thus, as in this case, we see it brought together with the neighboring
644
648 clans of another tribe (Bni Gmil), regarding the subject of war on the border, while its members either forget or eschew union with another clan of their own tribe (Swahil of Bni Bu Frah)[104]; according to European modes of thought, such an action would induce a lack of esteem

614 648 in the tribal political organization and entangle it badly, a tribe which up to now appears to be the least clear or tangible of all those studied and known so far.[105]

687 As European states do, this document imposes a public duty
[671] upon the natives of the territory, for they must defend their tribal
[829] lands with their weapons in their hands; and it even includes punishment for anyone who shrinks from staying in the danger zone. While,
[682] however, among Europeans such a punishment is moderate, we see that
[443] among Rifians, by the importance of the fine (2000 duros) the penalty is as high as that for murder (i.e. in the market), for this amount is equal to that stipulated as *ddiyith*[106] in two *qanuns* already examined, that of Aith 'Abdallah and that of Aith 'Adhiya.

Thus, then, an offense against patriotism constitutes a crime in itself, and it is sanctioned analogously upon the coward and deserter as homicide is upon the murderer.

577 This may explain the virtues, such as courage and hospitality
574 which we have so frequently seen attributed to the Rifians; for it was
671 precisely their clear-cut laws and rude (i.e. rough and ready) custom which urged them on, stimulated them (see the *qanun* of the *jma'th* of Thamasind for hospitality) and which perforce they practiced.[107]

671 11. A QANUN OF HARKA--AITH WARYAGHAR:

701 It is obligatory for all the *qa'ids* and members of a *harka* that
[702] each one of them must present himself in fixed turns, which each one must take without losing a day. Whoever does not obey this order, except in the following cases, such as illness[108], and nobody may go on leave during his turn without authorization from the kabir *al-mahalla*.[109]

671 701 681 **Fines to be imposed:**

__Harka__ members: for each day of absence, two (days to be served) in the __harka__, and a fine of 2 duros.

__Qa'ids__ of 25 men: the same, with a fine of 3 duros.

__Qa'ids__ of 50 men: the same, with a fine of 4 duros.

__Qa'ids__ of 100 men: the same, with a fine of 5 duros.

__Qa'ids__ of 200 men: the same, with a fine of 6 duros.

This is an order emanating from the fortunate Makhzin (i.e. of 000 **'Abd al-Krim). May God protect it. In Taghzut on Ramadan 23, 1344 (March 8, 1926). By order of 'Abd al-Karim bin Ziyan.**[110]

12. DOCUMENT OF EXEMPTION FROM PAYMENT OF TAXES[111]:

212 651 **Praise be to the one God. The blessings of God be upon our (lord) Muhammad, his family and friends.**

It shall be known through the present document that we, taking into consideration the services rendered to the Makhzin and the taxes which because of hospitable attentions with warlike objectives (holy war) weigh upon the bearers, the sons of the late Si Ahmad bin Si 'Ali al-Tawti are exempted by us from the contributions concerned....The '__amil__, in virtue of this, orders that they not be asked of them....And the peace.

Safar 18 of the year 1341 (October 10, 1922). Muhammad bin 'Abd al-Karim al-Khattabi, may God be with him, amen. (Signed and sealed).

13. QANUN OF THE SEA--AITH WARYAGHAR[112]:

471 501

A) The Boat Owner:

He owns the boat (__agharrabu__, pl. __igharruba__)[113], acquired by transfer, sale, already used or repaired by carpenters on the beach, of whom there are still a few[114].

000 of whom there are still a few[114]. In the business, he represents the
471 226 industrial member and as such he has a right to part of the profits[115],
[434] because of the fact that the fishing equipment is also ordinarily his
property; and he has the right to appoint a master, the technical
director of the business, whose obligations are limited to the main-
471 tenance and renovation of the equipment and to fishing. He may transfer the business voluntarily, taking back the equipment, either to sell it or simply to leave it grounded, even though the season may not be over. The construction of a covered shelter for the boats on the beach is his responsibility.

B) The Crew:

501 The master (ra'is) of the boat, appointed by the owner[116]....,
463 is the technical director of the business and he is therefore responsible for any property damages or injuries which can be justified, if they can be imputed to his unskillfulness or ill-will. He is given a free hand to select, appoint and discharge the individuals who have to make up his crew, of which he is the head, without the necessity of the consent of the owner; he is in charge of the selection of points of putting down the nets, fishing, embarkation and disembarkation, admission of merchandise and passengers, selection of shelters, collection of money, auctions and the responsibility for settlement of accounts; and while on board he is authorized to impose discipline by any means in extreme and necessary cases, and he must show the owner any necessary repairs or acquisitions which fall under his inspection. He is principally in charge of the working of the boat, and it is he who sets the course of direction. He appoints a second-in-command.

501 466 The crew must obey the master in the working of the boat, as their job includes all operations, including loading and unloading. They can transfer at will (to another boat) whenever they like, in which case they are reimbursed with the gross value of their part of the profits, and in justifiable absences, such as short illnesses, the death of some relative, etc., there is no discount from their wages, if they are co-participants in the business; but this requires justification in front of the master and the consent of the rest of the crew, as well as previous warning......

226 501 In fishing boats, they are accountable for the maintenance; in boats of transport, they have charge of the profits.

226 434 C) Profits:

1) Fishing in a boat with net: the gross value of the sale is divided into two equal parts, one for the master and one for the crew. In addition to this, the master also receives one-seventh of the owner's share.

2) Fishing in a boat with hook: the gross value of the catch is divided into three equal parts; one for the owner of the appartus (net, lines, hooks....), another (not listed, probably a typographical error) and the last for the crew. Those who haul the nets on shore receive a few kilos of fish.

3) Fishing with explosives: three equal parts, two for the owner of the explosives and the third for the swimmer.

505 434 4) Transport of Travelers and Merchandise: the profits of the trip, after maintenance expenses and port duties have been discounted, i.e. the true profit, are analogously divided into two parts, in the same proportion as in the case of fishing boats.

D) Repairs:

227 The expense of the periodic tarring of the net is borne equally by all those who are concerned in the business, the master and the owner hiring two more crewmen. This operation is usually performed every month and a half. The same happens with repairs to the net (thread, etc.).

The acquisition of new gear or repairs to the existing equipment are held to the account of the owner, always if, through use, it has been damaged by the sea; but if the damage has been intentional, then the gross value is demanded of the individual who caused it in front of an arbiter (theft, boarding the boat, etc.).

Each crew member must acquire annually, for the fishing gear, three pieces of cord, each one some 15 meters in length. The rest, up to the necessary length of the net, is taken care of by the owner. The master does nothing.

The straps are improvised with left-over pieces of rope earlier, and in the latter case they are cut from this. When a crew member transfers, leaves or is discharged, he cannot take the piece of rope which he originally supplied.

E) Travelers and Merchandise:

505 When the trip is contracted by the master and the hour of departure fixed by him, the sails are hoisted a short distance off shore, and by this time, if a traveler changes his mind and wants to go back to shore, he is taken ashore at the first opportunity, but he must pay for the trip already contracted.

505 With respect to merchandise, if because of a storm they lose all or part of it, the rest, once on land, is sold and the proceeds divided into equal parts by all the owners whose merchandise made up the boat's cargo, although the sales may not be from it (this is a kind of insurance); on the other hand, objects lost by the traveler have no indemnity at all. This favored and gave security to the business.

Once at the point of destination, the crew is in charge of unloading and storage on the beach or in the port, as well as custody of the cargo for three days, after which they are not responsible for loss or damages, and at the end of which they collect the proceeds of the freight from the consignee.

226 F) The Profession of Fishing:

The masters are chosen from among men known by everybody for their maritime knowledge and practice, and these in turn choose their crews.

The profession of fishing in jurisdictional waters, i.e. those which bathe the coast of the tribe (of Aith Waryaghar), was free, without subjection to taxes or any other obstacle, having no limitations other than that of not entering at the same time any area where another individual has his net spread, and of not entering certain others, such as the Cala del Quemado and Cala de Bonita, which because of the difficulties of their depths, a boat must not enter until the one inside has left. If two boats are waiting, the one which has first arrived in
[619] the area enters first. Also, it is ordinarily permissible to fish in front of the coast of another tribe, provided that relations with this

226 [619] tribe are cordial and that reciprocity be admitted; but this was not frequent.

The Aith Waryaghar considered as their fishing area the waters between the mouth of the Nkur River and the islets of the beach at Sfiha.

226 823 184 The Ibuqquyen used to mark with lime those points on the coast which by their topographical vagueness could not be distinguished from the sea, and set up good fishing sites which, once they were in them, permitted them excellent catches.

442 443 492 The fish are auctioned on the beach by loads which are afterwards taken to the market on muleback, and the proceeds are handed over daily to the administrator chosen, who periodically hands over his accounts every two or three months, usually at festival times or at the ends of seasons, a fact which thus gives rise to incidents through doubts about negotiation of payments.

226 If the fish are not sold owing to lack of buyers, they are divided up the same way in kind, and the owner is informed so that he can collect his share.

The substitutes for crew members, during justifiable absences, as mentioned above, did not enter into the proportional division of the profits, but they were given a prudential and arbitrary quantity of fish as compensation, reserving for the absent crew-member his own part as if he had been working.

226 685 Any vessel which through imprudence enters the net which another boat has laid down is responsible for the damage it causes, and any craft which in moving rams into another which has stopped is also responsible for the damage caused.

226 389 Any fisherman with dynamite is the owner of the fish and site of the explosion while he remains there. Fishermen with lines may not enter the radius of action of dynamite fishermen.

In fishing with explosives, the man who first sees the fish and stays to wait for them is entitled to remain in the spot observed. Nobody who has just arrived can shoot. For this reason, fishermen with explosives keep out of each others' way.

425 G) Recovery:

Any object without a known owner which is abandoned or tossed up on the beach by the sea is the property of whoever finds it.

Any object floating in the sea is the property of whoever picks it up; and if there are several people who put their hands on it in order to hoist it onto the boat or drag it onto the beach, it, or the proceeds from it, are divided equally among all who have worked, in the last instance, among the crew and the boat owners; but a man who sees it from the sea, for example, has no right to it, as he has not helped [577) to get it on board or ashore. Work, and not vision, is rewarded.

H) Arbiters:

628 554 Arbiters are men who are skilled in maritime questions and excellent mediators whose reputation, in addition to the reduced coastal limits of their tribe(s), is known and commented upon in all the villages of the neighboring tribes; and to them the inhabitants of these villages go voluntarily in order to submit their differences of opinion when these deal with matters relating to the sea.

628 648 554 671 642 115 Those who had most fame in the Rifian coast were, long ago, the Ghmara, to whose ports of Taghza and Tigisas it was not uncommon

628 to see rival Rifian feluccas betaking themselves and respecting the
648 554 verdict settled by some old seawolf, until they took over the doctrine
671 and set up new clauses in the customary law and applied it with the
692 [115] same success spreading it in later times even to the Iqar'ayen; and
finally one could see the Ibuqquyen going to Ajdir, submitting themselves to the arbitration of the so-called rm'addjim (Ar. m'allim), or master, who later reached the maximum position of being 'Abd al-Krim's Minister of Marine, during the Rifian War, this individual being the one who has provided me with most of the data to be found in this
628 qanun. Among the Iqar'ayen the Ra'is Muhand n Bu Tahar of I'azzanen
554 is well-known, and among the Ibuqquyen there is the pilot of Gardiner's
yacht, l-Hadi n Dadi[117], and other old fisherman of the Aith Waryaghar and Ibuqquyen. These individuals were appealed to when the solutions of the ruyas (pl. of ra'is, or boat-masters) did not satisfy any of the parties in question.

I) Skills and Craft:

227 The net is an apparatus called dhrarsha. The procedure is analo-
[171] gous to that of Malaga, which renders its description unnecessary; the
[177] Rifians undoubtedly copied this through many trips to the latter place.
I have seen it used in Badis and Qal'a Yirish, and the cut is exactly
501 the same. The boat, called agharrabu, is a simple fishing boat; it
weighs about a ton; its bow and stern are both well raised up and on a level with each other; it has two benches, a keel and a lateen sail, a mobile rudder; and it is some six meters in length. It is manned by four crew members and the master. On land, a sixth man is needed to put the cable down.

501 [505] [226] This same agharrabu is used for transporting merchandise and travelers. For fishing with lines, the Rifians utilize small boats, enclosed, with a flat bottom and one or two benches.

283 277 178 501 They make the lines and hook themselves. What is left of this wonderful qanun of the sea? The remembrance of the last old Rifian agharrabu, the broken frames of which are half-buried in the sand of a hidden cove, tells us of its courageous life and slow agony, kissed by the waves which it so often dominated, which in incessant pilgrimage render it the ultimate homage to root out as a precious relic the splinters which will merit even combatting the new masters of the sea, the detonating motors.

ooo This is what remains of the old Rifian agharrabus, navigators in history. An old frame and an even older sailor relating the custom of the sea, and now aspiring to a (minor) position in the port (author's italics); (of Villa Sanjurjo--since 1956: al-Husaima).

6

14. THE QANUN OF WATER RIGHTS (AITH WARYAGHAR):

423

A) Water Rights:

Water rights among the Aith Waryaghar are based on the fact that the owner of a plot of land also owns the subsoil as well. For this reason, the waters which pass over the former as well as those which run through the latter belong to him. An individual who owns property can therefore dig any wells which he deems convenient, even though this may damage the quality or cause an accident by not having revealed its presence. 423 574 271 This right is limited by the spirit of fraternity which obliges the Rifian to maintain, at cardinal points on a path, such as under the shelter of a tree or by a well, a jug of water so that passers-by may slake their thirst.

888 423 passers-by may slake their thirst. This also reflects the fact that 823 the retention of surplus water is considered an act of bad faith by a person's neighbors; and the latter fact in part makes it necessary for irrigation water upstream to be properly carried out and led off, and thus that holdings under irrigation be leveled and conveniently prepared.

B) Usage of Water in General:

312 Utilization of water in the Rif presents three facets which are common to all societies: utilization by animate beings, by (or 312 for) lands, and by (or for) industries. Rights of preference are also 423 the same, and in the same order: first, animate objects, the surplus [402] for lands, and what remains, for industry, which in the Rif is represented by turbine water mills (dhasirth w aman, pl. dhisira w aman), which in times of excessive dryness or drought do not have the right to utilize water from those irrigation channels which divert or subtract the flow from the principal ditch.

C) Water Points for Men and Animals:

312 562 Water points in Rifian villages whose liquid content is destined for human and animal consumption are not regulated by any by-laws other than that of designation of the hours in which men may go to them; the rest are reserved for women, for whom it is also customary to reserve, beforehand, and whenever possible, fixed points for washing and bathing. For this reason, if the village contains diverse water [164] points, one is used by the women and another by the men; and the surplus water is channeled toward a pond (agirmam, pl. igirmamen), which forms the common watering place for the animals as well as a malarial focus from which it is difficult to extinguish the mosquitoes.[118] The

312 The
562 jma'ths agree on the amount of the fines to be imposed for infractions
[623] of these rules, especially those having to do with the freedom of
[681] women, forbidding the men either to come near them or to remain in
those paths which lead to their washing or bathing sites. Ordinarily,
in this case, a turn is set up for a boy to act as guard, at a prudent
distance from the site, if the latter by its topographical situation
or by its distance from the village renders such a move necessary.

D) Irrigation in General:

312 The utilization of water in the Central Rif, particularly
675 among the Aith Waryaghar, is the object, in both general and particular
cases, of agreements between the users; these agreements are made at
the beginning of the summer for those water points which have a small
or intermittent flow and which are of short duration. These agree-
[212] ments are also usually unwritten, and they deal with the following
points: 1) dams, 2) network of irrigation ditches, 3) repairs to
ditches, 4) turns (nubth, pl. nubath) of those who irrigate, and 5)
infractions and sanctions.

[466] The labor as well as the necessary repairs are done by com-
pulsory personal service (twiza)[119] and proportional contributions
on the part of the irrigators. Any ditches which need special work
[333] done on them, such as bridges or retaining dams, are previously agreed
upon to be done by contract with master-masons, with the cost of the
materials included.

312 Infractions are usually reduced to: 1) appropriation by anyone
689 of a turn or turns of water outside or exceeding his own, and 2)
241
242 differences and disputes which during the "Republik" were settled
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312 689 amicably by irrigation specialists (*aquwwam*, pl. *iquwwamen*). In the
[241] [242] latter instance, these specialists estimated the amount of damage
[627] done, and the individual who caused it had to pay for it.[120] The only
penalty, most of the time, was indemnity of such damage, through,
above all, small reparation projects. In case a man was also punished
by fining, the fines were converted into improvements in the irrigation
312 ditches. The irrigators did not make up special communities with
621 their own jurisdiction or functionaries dedicated to the inspection
624 and fulfillment of the agreements, because this rudimentary society
was not fond of bureaucrats(!)........

312 The difficulty with these irrigation agreements rested primar-
675 ily, more than on the distribution of the flow of water, on rather the
423 outline of the ditch, for which it was necessary to acquire previously
the consent of each one of the property owners on whose plots
of land it ran over; these individuals did not ordinarily give in
unless they themselves were given an irrigation turn; and, in addition,
they made it clear that the ditch was not to cross their land
but to follow the boundaries around it.

312 Irrigation turns, in the instances dealt with here, are simple,
571 and correspond to the same notion which will later be discussed for
[805] the bigger water-courses, and which is based upon the principle of
equitable distribution, with the utilization of natural means to
calculate the time. This is reduced, once the number of turns is
known, to fixing the duration of these and the order in which they
occur. This customarily takes place at the point of origin of the
ditch or dam; once assembled, the irrigators draw lots, by which each
one of them puts down a straw while another, with his back turned,

312 571 calls out the order of the turns by picking at random each one of the
straws from the place in which they were deposited.[121]

E) Use of Rivers

312 675 River waters are submitted, in general, to the same considera-
tions as mentioned above. Their free utilization by owners of riverain
land has no stipulation other than that of respecting the preferential
rights of upstream lands and of avoiding damage to irrigation work
[181] which has already been done. The jursidiction of the riverain people
does not extend to the middle of the river-bed, for, as the latter
often channels out new and diverse courses due to the torrential
regimen of these water-courses which undergo constant variation and
subsequent modification of their banks, this would give rise to in-
finite incidents and frequent modifications of agreements; and all of
this would be contrary to the Rifian character, essentially conserva-
tive and traditionalist.....There is also another important reason for
[648] [619] understanding why this is so, this being that these long-distance
water-courses cross the territories of different tribes, ones which
are even independent among themselves (and certainly from each other!);
and in the event that any agreements at all have been reached about
water distribution, these would have been extremely difficult to fulfill
and would no doubt have originated not a few fratricidal wars and aug-
mented the already numerous points of friction.

423 675 312 Any other form of action would have been incompatible with the
essence of (the social behavior of) this society at the moment in which
we are studying it, in which tribe, its cla[illegible] smaller segments
all have such possessive notions of the property on their territories

423 675 312 that this would have rendered useless all demands and threats voiced by downstream groupings for the transfer of even a minimal amount of flow, and in our time things have not varied; those upstream use all the water that they can, and those downstream, the overflow; and it would not occur to anybody to vary this procedure, followed since time immemorial. 312 To this procedure is very well adapted the regimen of the rivers in the Rif, in the dry beds of which water does not run on the surface, but rises up only in fixed points, each one of these forming, with the help of improvised dams, the sources or points of origin of successive irrigation ditches, making them seemingly independent.

133 241 [578] In addition, the narrow fissures which form the beds of such torrential rivers, their irregular flow, their devastating overflows and floods, in short, opposed nature and men so that the latter would have some motive for doing this and even need it for their small irrigable crop and the bare necessities of life; for it did not and would not occur to anyone to work or cultivate any more land than that necessary for his own subsistence, as anything else, overflow aside, would have attracted the envy of neighbors and strangers, and this in 675 turn would have led to blows. An association on such a large scale and for such modest objectives was, for this reason, impossible, inefficacious and unnecessary.

312 The river waters, in their upper courses, running between steep banks, scarcely need to be utilized even to a small degree on the minute riverain plots of land. In those beds, water, although actually slight in amount, is in fact overabundant, and land is lacking. Limited to the confines of the ditch by the topographical conditions

312 of the beds, the Rifians were unable to think in terms of large irrigation developments to lead the ditch to some small and dried-up meseta; for the minimal amount of these in the interior of the country and the longitude of the ditch which they would have needed did not compensate for the effort and expense they would have had nor the loathing they would have incurred (i.e. from neighboring segments of [182) the tribes) in order to maintain the ditch as such. Nature has in no way favored the Rifians, who must gain everything they own through 648 their own efforts. The men, the new men, the protectors (i.e. the 312 Spanish administration) can and must do something to help them, and thus they wait for it and trust them, although up to the present time (1935), and in this connection, nothing other than prejudices and injuries have occurred, as happens with the turn of water which they have been made to cede to the Granja Agricola (i.e. model farm) of Imzuren and to a half-dozen Europeans, who, placing their minute holdings in dry rather than irrigable lands, have by virtue of more modern methods converted them into irrigated terrain; and these appear today like minute green islets among the calcinated holdings of the natives, whose ill-will and adverse commentaries are just, logical and in no way flattering.[122] "Nubth nj-Makhzin", the "turn of the Government", as they say, which means that in order to sustain it a group of mkhaznis is necessary; and the salaries of these men added to those of the directors and work force are certainly far higher than the four bushels of vegetables which they manage to obtain and the unknown profits of other kinds which they do their best to make.

181 The Rifian admits anything which constitutes instruction or
423 improvement; but naturally he wants no part of any division of his
312 holdings with strangers. This blessing of water which the official
648 organ (i.e. the Spanish administration) as well as individuals receive, although the latter do so only to a limited degree, is not a product of technique, profitable or exemplary work as new developments would be, possible economic outlets or improvements in the present distributive net, but utilization of native labor in the style of some early-day amghar.

312 Rare are the days of the Makhzin irrigation turn in which the
648 Mkhazniya does not present us (i.e. the administration) with some
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[427] miserable akhammas[123] accused of the terrible crime of having been surprised at night attempting to lead up a thread of water into his tiny, dried-up holding, a crystalline fiber which, if it even arrives there to irrigate, only God knows; and the nubth which the Europeans derive from it, dispute from it and gain from it, did not cost them the least effort to lead up nor did they do anything other than wait sitting down while the Makhzin appropriated it. And in such a case neither the Makhzin nor the European stands to gain anything; to the contrary, they have much to lose.

F) Irrigation in the Plain of Al-Husaima:

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675 The usage of irrigation water from the Lower Ghis and Nkur Rivers has been, since time immemorial, the object of individual agreements among the irrigators, agreements which are usually put down in writing, for the flow of water, although variable, permits a regular distribution through permanent ditches, a distribution known

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[648] to all and a distribution which tradition has affirmed. These principal ditches carry water all year round, and at the present time their utilization seldom gives rise to incidents, as their usage has been stabilized and regulated, except in the case of the newly arrived Spanish irrigators, whose despondent attempts to improve their lands with fanciful enlargements, amplifications or regularizations of turns gave rise to the only disputes, aside from the ill-will of the local population already mentioned above.

To be able to find something which leads us to the heart of the irrigation problem, it is necessary for us to look again among the individual agreements which are established by small groups of irrigators from both rivers, and descend through their steep beds to the widenings at their mouths, the journey over which has permitted us to observe the details of their irrigation system and to fix the principal idea which appears to preside over the distribution of the waters of both rivers into a diagram which we have made (see Irrigation Ditch Map of Plain of al-Husaima) for a better understanding and as a synthesis of their custom; and this is completed afterward with an outline of the network of ditches for each irrigated area and in these drawings is summarized our knowledge up to the present time.

312 The mechanism behind the distribution of irrigation water in Aith Waryaghar is simple, and up to the present time, it has satisfied local needs; it seems exact enough for the tribesmen, and so far they have shown no desire to modify it.

In the river beds there are certain points known to the people where the water always rises up; these are used as dams (uggug, pl.

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

BLANCO MAP II (1939) - PLAIN OF AL-HUSAIMA

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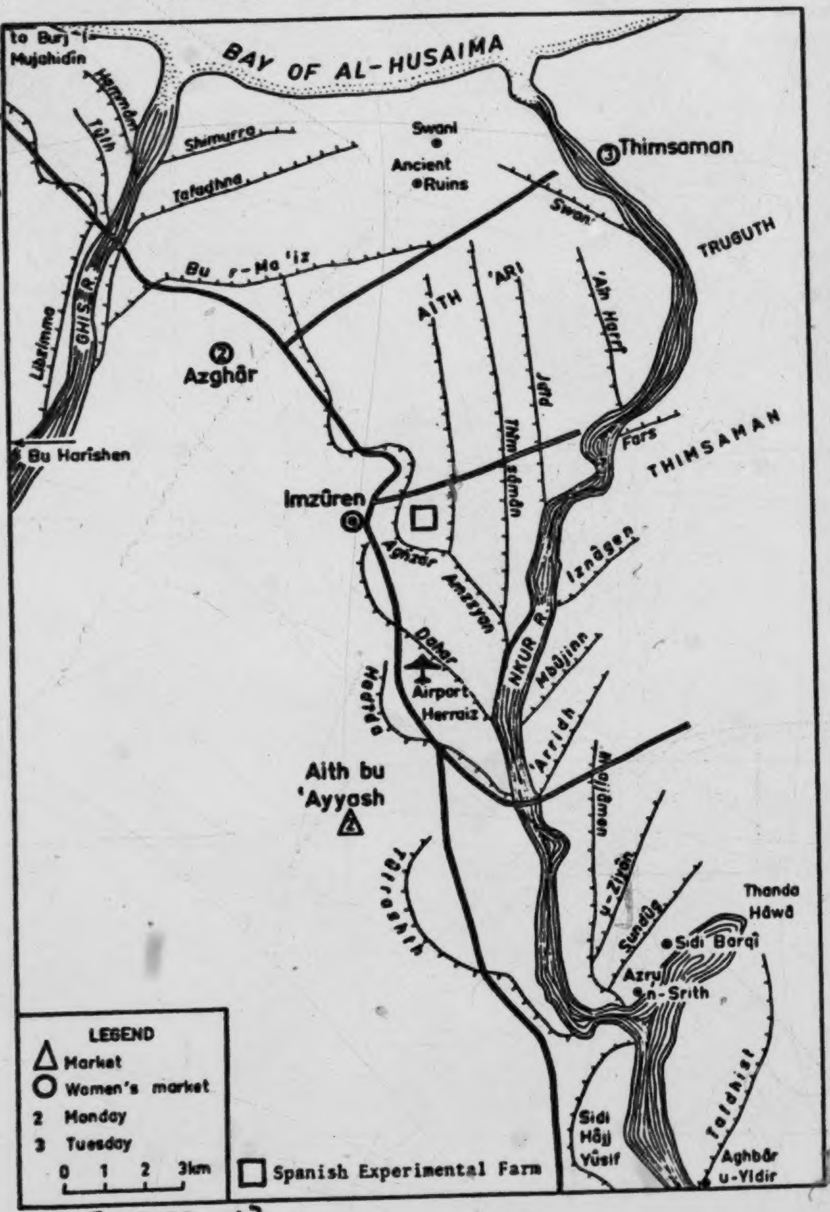

to Burj-l-Mujahidin
BAY OF AL-HUSAIMA
Hammam
Tuth
Shimurra
Tafaghna
Swani
Ancient
Ruins
Thimsaman
Swani
TRUGUTH
Bu r-Ma'iz
AITH 'ARI
'Ain Harfi
Jdid
Thimsamin
Fars
THIMSAMAN
GHIS R.
Liberimma
Azghar
Bu Harishen
Imzuren
Aghzar
Amzzyan
Iznagen
NKUR R.
Dahar
Mbdjinn
Hadida
Airport Herraiz
'Arridh
Aith bu 'Ayyash
Majjamen
Tafrasthth
u-Ziyan
Sundug
Thanda Hawa
Sidi Barqi
Azru n-Srith
Taidhist
Sidi Hajj Yusif
Aghbar u-Yidir
LEGEND
Market
Women's market
2 Monday
3 Tuesday
0 1 2 3km
Spanish Experimental Farm

[P. 358-A]

312 uggugen) for the source or origin of irrigation ditches and as partitions of the waters on both banks. After a dam has been set up, built to hold as much water as possible, it is converted into a ditch-head, in which the necessary outlets are made, and it thus acts as the point of origin of the principal or primary ditches which have a permanent flow of water; these are usually two or three in number. Although [183) these outlets are irregular, the Rifians say that a half or a third of the water is utilized in distribution; and although this is what happens in practice, in theory the distribution is far from perfect, as the tribesmen do not take into account the width nor the depth of the outlets; and these are improvised, if not actually variable. The primary ditches are distributed and divided in this way into secondary branches, if these are necessary, in which the irrigation turns proper are initiated, which means that they only take up water for twenty-four hours; therefore, if there are four secondary ditches, each one will take up water every four days. These secondary ditches are sub- [805) divided in turn into other tertiary branches, also of periodic or intermittent flow, which do not take up water other than during the day or at night; and these originate the irrigation furrows of individuals which do not take up any water other than at certain hours, which are determined by those of the principal daily prayers.

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This distribution of irrigation water is intimately linked to the Rifian lineage system, to the dharfiqth (which tends to have a 24-hour turn) and its component ijujga, and it is completed with one order of turns begun in the tertiary ditches through which if one of these ditches, during its turn, takes up water during the daytime,

312 in the following turn it will take it up at night, and with another
571 [613] order among the irrigators in which the first in one turn will be
[596] the last in the next. These two classes of turns, this order of
irrigation, is usually set up for the whole duration; when it is
begun, the irrigators draw lots with small sticks or twigs, and, at
other times, it is set up differently every day. The transfer of
312 turns is free, as is the decision of the person to be favored. Turns
571 425 of water are the object of buying and selling, and are independent of
[432] land. A 12-hour turn every week (eight days) comes to some 500 or
[805] [435] 600 duros (1939).[124]

The hour to begin irrigating is that of the rising or setting
312 [821] of the sun, according to whether the turn itself is diurnal or nocturnal. The repairs depend on their importance and where they are
made, the users of the branch in question contributing to these,
downstream. The outlets or cuts of water are the responsibility of
312 the individual who is irrigating at the time. The duration of turns
571 was regulated by means of natural hours, those of the prayers, and by
805 measurements of the shade and the angle of the same with some object,
in other words, a true sun dial.

312 Differences were resolved, as noted, by means of arbitration,
627 628 valuation or assessment, or indemnification, apart from governmental
671 intervention if this is deemed necessary, as some *qanuns* express.

The variations in the treatment of ditches require the con-
312 184 formity of all the ditch-users to be expressed by themselves or their
representatives personally, in a meeting convoked to this effect on
the sites which are to be the objects of modification, in the system
or traditions of irrigation.

15. THE QANUN OF THE LOWER GHIS RIVER (AITH WARYAGHAR):

312 From this river, the longest of those which bathe the Central Rif [135] (more than 70 km.), as with its companion and eastern neighbor the Nkur, only the surface waters are used, and very imperfectly, by the Rifians in the small meanders which its narrow basin forms. For the [648] Rifians there is too much water and not enough land. Up to the present, the Spanish protectors have not attempted the slightest modification nor the study of the Ghis basin and its regimen with utilitarian ends in mind. It is a wealth which, like so many others, is lost. There is too much water and nevertheless the Rif is thirsty. [132] The Rifian spends the whole year looking at the sky, an attitude which has become contagious to the protectors, imploring a few drops to fall in order to save his miserable *winter* (author's italics) harvest[125] ....

In all the long basin of the Ghis one does not perceive the handiwork of man. Neither bridges nor acqueducts, neither dams nor any [487] installations to raise up its waters. Paths wind along its pebbly and steep banks to hide themselves in the dried-up stony bed. Small [402] and winding irrigation furrows timorously make haste to return suddenly the flow which they secretly absorbed, under the shelter of thickets, after (providing water to) move some small and rudimentary turbine mill. Only at the height of Targist, military techniques with their transportation of water give such a pessimistic sight a chance to change. 312 It is necessary to descend kilometers and kilometers down the steep bed 133 of the river, to about some three kilometers from where it empties

312 into the sea, in order to really listen and take notice at last of
133 the song of the Ghis, the activity and human ingenuity, the fertilizing mission of the water, the utility of the same, the gentleness of the countryside, the density of the population, the happiness (by comparison) of the orchards and gardens, the wealth and well-being, the convenience for (administrative) functionaries, the advantages of technology and the necessity of associating oneself with humans.[126]
312 In its long course the Ghis provides the water to turn 55 Rifian
402 turbine mills (1935).[127]

312 In Bu Harishen, on the left bank of the Lower Ghis, upstream from
[103] the bridge over the river, is where this river begins its well-performed work, bored by its useless rambling, acquires freedom, jumping from its bed to spill itself over in equal parts into the three principal ditches, l-Bzimma, "the tied-up"[128], on its left bank, and Bulma'iz and Thafadhna on its right. The regimen of these ditches is indicated below and their mean longitude is some six kilometers.

[103] Sidd Dharga nl-Bzimma (l-Bzimma): "the tied-up", which takes its name from that of the ancient ruined city, al-Mazimma[129], on its left bank. Its flow is one-third of the permanent intake of the dam at
[212] Bu Harishen. There is a written document which regulates distribution of its water and proves its rights to property.[130] It empties (into the Mediterranean) at the height of the ruined castle of the Mujahidin[131] on the beach, in front of the old Peñón de Alhucemas (Isle of al-
[402] Husaima). It moves a mill belonging to the Qa'id Sriman r-Khattabi and to Muhand Ushshan.[132]

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It has a turn cycle of six days, which are distributed among the four lineages (dharfiqin), these in turn dividing their turns among their respective branches (ijujga), in the following order:

1st Day (24 hours): Ajdir (U Hammu; U Haddu)
2nd Day (24 hours): Ughir Iyizan (U Xikhrif; U Yihya u Musa)
3rd Day (24 hours): Ajdir (U Mis'aud u Yusif; W 'Alla w Ujdir)
4th Day (24 hours): Ughir Iyizan (U Dris; W 'Alla Ughir Iyizan)
5th Day (24 hours): Bu Mqathir
6th Day (24 hours): Zawith (Fisra and Andrusen--Ushannen--Ihaddallahan--Dharwa nd-Hajj 'Abdinnbi)[133]

On the seventh day, the sequence is repeated.

Sidd Dharga n-Bulma'iz: on the right bank. It begins, as does l-Bzimma, at Bu Harishen, crossing the river in order to divide its water with Dharga n Tfadhna, and each one of these three ditches receives one-third of the permanent flow taken in at Bu Harishen. It runs for a few kilometers and reaches the sea at Swani Waddai (Lower [402] Swani). It moves three mills, the first belonging to the Qa'id Sriman (r-Khattabi) and 'Abdinnbi, the second to I'arhuthen and the third to Dharwa nd-Hajj Si 'Ari Ubarru.[134]

It has a turn cycle of three days for the three dharfiqin indicated, and they in turn distribute the water among their ijujga, which make [805] them up in their own way. The turn begins at the maghrib, or sunset prayer.

1st Day (24 hours): Imhauren: Aith 'Aru Hmid
Aith 'Abdallah u Hmid
Aith Muhand u Hmid
Aith Bu Dhimmus (only when water is scarce)[135]

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2nd Day (24 hours): Dhifirasin: Aith Mhand u Yihya
Im'aruwen[136]

3rd Day (24 hours): r-Hujjaj: Aith r-'Arbi
Dharwa nd-Hajj Si 'Ari Ubarru
I'arhuthen[137]

312 571 182 613 [596] We thus have, in the regimen of the ditch with which we are dealing, an excellent example of Rifian solidarity, observable in the turn of the Imhauren, as in times of dryness or drought, when they need more themselves, they hasten to aid their neighbors of Aith Bu Dhimmus (who are ordinarily limited to their own turn of hours of irrigation in another ditch, that of Thafadhna, as we shall see later), although by this the other three lineage branches or ijujga only harm themselves, because they defer one of their own turns by nine more days, and even if the turn is a small one in itself, they only receive it once every nine days.

312 571 For a better understanding of the mechanics of irrigation among Rifians, we shall study in greater detail the order which is followed in this ditch[138], for it is curious to observe how they have simplified it, in spite of the modifications which are introduced in the case of the Aith Bu Dhimmus, for example, with its intermittent (author's italics) rights, so as not to interrupt the turn in general; but, at the same time, how can we explain the miracle of how the thousands of Rifian irrigators and the labyrinth of ditches which traverse the Plain of al-Husaima do not produce any disturbances nor give rise to any incidents other than those occasioned by ignorance on the part of the Europeans, of which the Rifians of importance sometimes try to take advantage or the avarice of the fortunately few and ill-named "colons"?

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613 We may see the ingenuity with which they resolve the problem of irrigation during twenty-four hours in a three-day turn, the same to each of the lineages of the ordinary turn as to the nine days in the exceptional case of the Aith Bu Dhimmus.

Ordinary turn:

1st Day: Imhauren (24 hours)--Aith 'Aru Hmid
2nd Day: Dhifirasin (24 hours)--Aith Mhand u Yihya
3rd Day: r-Hujjaj (24 hours)--Aith r-'Arbi
4th Day: Imhauren (24 hours)--Aith 'Abdallah u Hmid
5th Day: Dhifirasin (24 hours)--Im'aruwen
6th Day: r-Hujjaj (24 hours)--Dharwa nd-Hajj Si 'Ari Ubarru
7th Day: Imhauren (24 hours)--Aith Muhand u Hmid
8th Day: Dhifirasin (24 hours)--Aith Mhand u Yihya (again)
9th Day: r-Hujjaj (24 hours)--I'arhuthen (I'abbuthen, probably)
10th Day: Imhauren (24 hours)--Aith 'Aru Hmid (again)

[596] And thus the turn is repeated, except for Dhifirasin, which with only two (irrigating) ijujga alternates between one and the other every time its turn comes around. We see here that in the ordinary turn the nubath (pl. of nubth, "turn") of Dhifirasin irrigate once every three days, while those of Imhauren and r-Hujjaj irrigate once every nine days. Now, if we insert Aith Bu Dhimmus into the picture, we see that Dhifirasin continues to irrigate once every three days and r-Hujjaj once every nine, both on the same day as before, while, on the other hand, because of this shift, Imhauren, to which dharfiqth the new irrigators belong[139], irrigates four out of five times once every nine days and once out of five times once every eighteen days, with the

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intercalated newcomers irrigating once every twelve days, as shown below, instead of the four lineages of Imhauren rotating every twelve days if they would have been given the right to irrigate with them.

We may observe that in reality, without any alteration of the general turn and without any injury to the other two neighboring dharfiqin which are slightly further away, the thirst of the Aith Bu Dhimmus is miraculously quenched, and how this happens:

1st Day: Aith Bu Dhimmus (Imhauren)--takes turn of Aith 'Aru Hmid
2nd Day: Aith Mhand u Yihya (Dhifirasin)
3rd Day: Aith r-'Arbi (r-Hujjaj)
4th Day: Aith 'Abdallah u Hmid (Imhauren)
5th Day: Im'aruwen (Dhifirasin)
6th Day: Dharwa nd-Hajj Si 'Ari Ubarru (r-Hujjaj)
7th Day: Aith Muhand u Hmid (Imhauren)
8th Day: Aith Mhand u Yihya (Dhifirasin)
9th Day: I'arhuthen (read I'abbuthen) (r-Hujjaj)
10th Day: Aith 'Aru Hmid (Imhauren)--recuperates its turn
11th Day: Aith Mhand u Yihya (Dhifirasin)
12th Day: Aith r-'Arbi (r-Hujjaj)
13th Day: Aith Bu Dhimmus (Imhauren)--takes turn of Aith 'Abdallah u Hmid
14th Day: Im'aruwen (Dhifirasin)
15th Day: Dharwa nd-Hajj Si 'Ari Ubarru (r-Hujjaj)
16th Day: Aith Muhand u Hmid (Imhauren)
17th Day: Aith Mhand u Yihya (Dhifirasin)
18th Day: I'arhuthen (read I'abbuthen) (r-Hujjaj)
19th Day: Aith 'Aru Hmid (Imhauren)

312 20th Day: Aith Mhand u Yihya (Dhifirasin)

571 21st Day: Aith r-'Arbi (r-Hujjaj)

613 22nd Day: Aith 'Abdallah u Hmid (Imhauren)--recuperates its turn

23rd Day: Im'aruwen (Dhifirasin)

24th Day: Dharwa nd-Hajj Si 'Ari Ubarru

25th Day: Aith Bu Dhimmus (Imhauren)--takes turn of Aith Muhand u Hmid

26th Day: Aith Mhand u Yihya (Dhifirasin)

27th Day: I'arhuthen (read I'abbuthen) (r-Hujjaj)

28th Day: Aith 'Aru Hmid (Imhauren)

29th Day: Aith Mhand u Yihya (Dhifirasin)

30th Day: Aith r-'Arbi (r-Hujjaj)

[182] And so on.[140] To attempt to vary this unending chain which the irrigation turns of the Rifians make up in those ditches with permanent flow is to promote major altercations and to upset the equilibrium of the whole of the Plain of al-Husaima.

312 571 402 578 The simple attempt by a Rifian miller to divert for a few seconds the water of Bufma'iz so that it would flow to his turbine mill, I recall, provided the motive for a sudden and vehement protest by the users of this ditch, en masse, to the authorities; the whole Plain of al-Husaima took alarm to such an extent that no procedure nor influence (on the part of the authorities) could be brought to bear toward the peaceful possibility that the people might acknowledge the man's alleged right; and, nevertheless, this Plain needs more than a concerted arrangement and ordination, an improvement and rectification of the principal ditches;[141] and above all it needs a possible increase of flow for the outlet of subterranean or subalveal waters.

312 Sidd Dharga n Tfadhna: on the right bank. It takes half the water
571 from Bufma'iz, and therefore begins, as do the other two, in Bu
613 Harishen, the permanent flow taking up one-third of the dam. It moves
(402) four mills: that of Muhammad Akuh and Si Muhammad Budra; downstream, that of Dharwa nd-Hajj Shiddi; the next, that of Dharwa n Hammu Taqar'aith, Qa'id Sriman (r-Khattabi) and Muhand nd-Hajj Hammu; and finally, that of Dharwa nd-Hajj Hammush.[142]

The turn is one of three days for the three dharfiqin using the ditch, and each lineage redistributes its twenty-four-hour flow as follows:[143]

1st Day: Yinn Si 'Amar Umrabit

2nd Day: Aith Bu Dhimmus (24 hours): Ajdir (12 hours)
Andrusen (2 hours 40 minutes or one-fifth)
Aith Bu Dhimmus (9 hours 20 minutes or four-fifths)[144]
(Andrusen and Aith Bu Dhimmus thus irrigate 12 hours between them)

3rd Day: Aith 'Aru Hmid (Imhauren) (24 hours): Aith 'Abdallah u Hmid
Aith Muhand u Hmid
Aith 'Aru Hmid

The Ghis also provides water for three other ditches before it empties into the sea: Tuth ("mulberry") and Hammam[145] on its left bank and Shimurra on its right; but they do not have a permanent flow like the others discussed above, nor for that matter is their regimen or capacity, which is somewhat arbitrary and subordinate to the others, well regulated, for an irrigator, during his turn, can, if he wants,

312 lead the water to which he has a right in any of the main ditches into
571 these three smaller ones. The ditch of Tuth, when it has water, moves
613 [402] the mill of Dharwa nd-Hajj Mis'aud. The irrigators of the Tafadhna
ditch, whether the turn is interrupted or not, have the right to use
that of Shimurra, but giving first choice to those who use it regularly.

16. QANUN OF THE NKUR RIVER (AITH WARYAGHAR):

312 The Nkur River has an irrigation regimen which is less exact than
675 that of the Ghis, and the written agreements on the distribution of its
waters are few and recent. One of them refers to the division of waters
between the Axt Tuzin and the Aith Bu 'Ayyash, with the intervention of
the Bureau of the Aith Waryaghar (in Ajdir).[146] In any case, the
establishment of such agreements is based upon the same notions and
the same norms as in those pertaining to the Ghis.[A]

312 In the Middle and Upper Nkur, there is more than enough water to
(621) irrigate the meanders which the river has created, through which it is
easy to affix by-laws to the 'azibs[147] of the neighboring jma'ths which
own land on its banks, given the small amount of land under irrigation.
(241) There is even freedom and waste, and it is not uncommon to see, during
harvest time, the formation of tiny threshing floors with capricious
irrigation-furrows of 300 and 500 meters in the middle of the river bed.

[619] There are meanders like Dhaghzwith n Dasa (upstream, in the territory of Axt Tuzin, and near the bridge on the right bank) and Dhazurakhth (downstream, in the territory of the Aith Bu 'Ayyash, and also right beside the same bridge, but on the left bank), which are of relatively large dimension and which have already stabilized turns; but the real difficulties and concomitant near-perfect solutions are

[A] [See pp. 361-369--Analyst]

312 [619] only found in the Lower Nkur, the principal water outlets of which, by acting as dividing lines between different tribes on both banks,[148] are Aghbar u Yidir, on the right bank and upstream from the Thanda Hawa pond, and Azru n Srith ("Rock of the Bride"), north of the former.

The latter point is the most important, where the wide Plain of al-Husaima and the ditches which traverse it may truly be said to begin. In the accompanying diagram, all these points are indicated, as well as the principal ditches, the regimen of which we shall now indicate in outline, with the hope that these notes may someday serve as the basis of a more detailed study.

West Bank:

Dharga n Dahar: begins downstream and right beside the piste to the Thimsaman, bordering it and crossing the main Tetuan-Melilla road to
[402] end up in Imzuren. It moves three mills. It has two turns of twenty-
312 four hours each: one for the Qa'idate of Nkur (Aith Bu 'Ayyash) and
571 the other for that of l-Uta, the Plain. The latter, in turn, is divided into one-third for Imzuren and two-thirds for Aith Musa w 'Amar;[149] and this gives rise to the following cycle:[150]

1st Day: Aith Bu 'Ayyash

2nd Day: Aith Musa w 'Amar

3rd Day: Aith Bu 'Ayyash

4th Day: Aith Musa w 'Amar

5th Day: Aith Bu 'Ayyash

6th Day: Imzuren

312 Dharga Ughzar Amzzyan ("ditch of the small river"): In May 1938
[402] the flow of this ditch was 513 liters per second. It originates

312 [402] downstream from Dharga n Dahar, and it yields one-third of its flow to Dh[illegible] n Tmsaman; it arrives at the Bulma'iz ditch at the height of Thafrasth, near the now defunct Wednesday Market of Sidi Bu 'Afif; and it moves four mills: the first belonging to Muhand 'Aida w 'Amar; the second, to 'Allush nd-Hajj Muhand u Haddu; the third, to 'Abdssram nj-Hajj Bu Qiyadhen; and the fourth, to the Qa'id Sriman (r-Khattabi) and to 'Amar 'Abdallah nd-Hajj Muhand.[151]

312 571 It has three turns: one for those upstream (designated as n-dara), another for those downstream (s-waddai), and the third for the Granja Agricola or Model Farm of Imzuren (this last on Wednesdays and Thursdays), in the following manner:

1) N-dara (24 hours, distributed into 5 ditches): 1st--Sidd r-Hajib
2nd-Sidd Inufan
3rd--Sidd Bu Kra'
4th--Sidd Ahammar
5th--Sidd Miskur[152]

2) S-waddai (24 hours, distributed into 3 ditches): 1st--Tigarth (12 hours)
2nd--Sidd I'abbuthen (6 hours)
3rd--Sidd Aith Mis'aud (6 hours)[153]

3) N-dara (24 hours, distributed into 4 ditches): 1st--Sidd Tagharbund
2nd--Sidd 'Abdallah
3rd--Sidd 'Abdallah
4th--Sidd Ishtari[154]

4) S-waddai (24 hours, distributed into 2 ditches): 1st--Imhauren (12 hours)
2nd--Aith Mhand u Yihya (12 hours)[155]

312 [402] Dharga n Tmsaman: This ditch in May 1938 had a flow of 256 liters per second. It is located on the same bank of the river, and downstream from the Aghzar Amzzyan ditch. It moves two mills (one belonging to the Muhammad nd-Hajj Ussar, and the other to Muhammad n Tahir), and it has three turns, one for the tribe of the Thimsaman[156] and two for that of the Aith Waryaghar (lineage of Aith Musa w 'Amar, subclan of the Aith r-'Abbas, clan of the Aith 'Ari), as follows:[157]

1st Day: Ifthisen (Aith Musa w 'Amar)

2nd Day: Thimsaman

3rd Day: Ihankuren (Aith Musa w 'Amar)

The three other ditches on this bank, Sidd Jdid, Sidd 'Ain Harri and Sidd Swani, only have water in times of abundance:

Sidd Jdid: At the end of May 1938 this ditch had a flow of 40 liters per second. It originates one kilometer below Dharga n Tmsaman, in the crossroad from Bu Srama[158] and the (Spanish-built) airport to the Thimsaman.[159]

Sidd 'Ain Harri: Born near the road leading from the Granja of Imzuren to Truguth (Thimsaman).

Sidd Swani: The last ditch on the west bank of the Nkur, some two kilometers from the mouth of the river.

East Bank:

312 619 675 212 [103] Dharga n Tufdhisth (???--"ditch of the hammer"??): At the point called Aghbar u Yidir, in front of the mkhazniya post of Imnudh, upstream from the Thanda Hawa pond, a division of waters is originated between the tribes of the Axt Tuzin and the Aith Waryaghar in equal parts, according to a document in the archives of the Bureau at Ajdir,[160] which pertains to the agreement to which both these tribes came.

000 which pertains to the agreement to which both these tribes came.

312 The flow taken up by the Aith Waryaghar bathes the meander of Sidi
613 r-Hajj Yusif[161], and is used by the Aith Umnudh lineage of the subclan
of the Aith 'Adhiya of the clan of the Aith Bu 'Ayyash. It is divided
[571] into two turns of twenty-four hours each: one for the lineage branch of
Aith Ishshu (some 80 irrigators) and the other for the lineage branch
of "True" Aith Umnudh (some 130 irrigators).[162] The flow taken up by
the Axt Tuzin (clan of the Axt 'Akki) is distributed through the
Dharga n Tufdhisth.

312 Azru n Srith ("The Rock of the Bride"): This legendary site[163],
[823] the point of departure for water from the pond of Thanda Hawa, beside
[103] the tomb of Sidi Birqi, is the principal shed for the waters of the
Nkur River, and four ditches flow from it: one on the left, or Aith
Waryaghar, side, Dharga n Tufrashth, and three on the right, called
Sunduq (Axt Tuzin), Sidd Asiyar[164] (Thimsaman) and Ihajjamen ("barbers")
(Thimsaman), respectively.

Sunduq and Tufrasht divide water into equal parts. In turn, the Sunduq ditch, by the same token, divides it with Dharga Usiyar, and the latter, in turn, with Ihajjamen, which in time of scarcity has no water.

[571] The turn cycle of Dharga n Tufrasht is five days for Izakiren and
[613] two for Ighmiren.[165]

Dharga Sidd 'Arridh: begins at the same height as Dharga Hadhidha, on the other (west) bank, and beside and just upstream from the crossing of the main Tetuan-Melilla road and the piste to the Thimsaman.[166]

312 Dharga (Sidd)n Bujinn: Downstream from Dharga 'Arridh, in front
[402] of Dharga n Dahar. It reaches Habbuqush[167] and moves three mills (Sriman Muhammad u Bari, Hammadi n Muh u Bari and Hmid Hammadi).[168]
[571] It has two turns, for the Thimsaman and the Aith Bu 'Ayyash.[169]

Dharga Iznagen: Downstream from Bujinn, it reaches Habbuqush and
[571] has the following turn cycle: Imrabdhen n Bu Zwiqa, I'abbuthen, Ims'-
[402] audhen, Habbuqush and Thabirkhashth.[170] It moves three mills (Hmid n 'Amar, Si Mhand u bil-Qasim, and Muhammad n bil-Hajj).

Dharga nj-Fars: only in time of abundance.

104 Vocabulary: water-aman; irrigate-sissu; irrigator-itsissau; turn-nubth, pl. nubath; dam-uggug, pl. uggugen; sluice or dyke-sidd; ditch-dharga, pl. dhargiwin or dhargwin; irrigation furrow ("donde se rompe agua")-anqssar, pl. inqssaren; water or irrigation expert-aquwwam, pl. iquwwamen;[171] land-dhamurth; garden, orchard-dhabhirth.

17. DOCUMENT REGARDING THE DIVISION OF IRRIGATION WATER: TRANSLATION:

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Praise be to God. After the truce (sulh) took place between the three subclans, which are comprised by the people of Ajdir and those who are with them, those of the Imhawren and the ones with them, and those of the Imrabdhen and the ones with them,[172] the water of the River Ghis which is born (literally, "comes out") in the springs of Bu Harishen and in those below it was partitioned into three irrigation ditches, in conformity with what is set down in the document which records the testimony of those who have agreed to it, the Shaikh Muhammad bin 'Ali bin Shu'aib Amhawil, wishing to appropriate for himself the water which exists above the springs, whose water is

675 usufructed by 'Abdallah bin Ahmad Arhawif and his brothers Awlad 'Ali
614 312 bin Ahmad[173], because the water of the latter is independent of that
578 which was concluded in the agreement, proceeded to hinder it from
423 those (individuals and social groupings) mentioned in the above pact,
691 alleging that it was prejudicial to the water which was the object of
the agreement.

692 He and the Sayyid Misa'ud bin 'Ali al-Ajdiri, wakil (legal repre-
691 sentative) of the people of Ajdir and Imrabdhen, appeared for judgment
578 before the servant of the Sultan (may God protect him[174], the Qa'id
779 671 Muhammad bin 'Abd al-Salam bin 'Abd al-Sadaq and before the disting-
675 uished and good jurisconsults and other (persons), who advised them
to work out an arrangement, as is ordered in the Book (Koran) and in
the traditional law (Shar'), by whatever exists in it of benefit to
both parties and by the fear of what could happen as a grave emanation
675 from the quarrel. By virtue of this, the water cited above as the
312 object of litigation shall be divided into three parts. One-third of
571 it, the amount of which is that of four days of irrigation, is for the
aforementioned Shaikh Muhammad and his associates in irrigation; and
the other remaining two-thirds, the amount of which is that of eight
days of irrigation, shall be channeled into the three irrigation ditches
which were the object of the first agreement made, and which emanate
from the springs of Bu Harishen.

691 In conformity with the above, the litigation was considered as
675 finished, as mentioned above.

675 No trouble remaining between them, by virtue of the above, (as well
578 as) no quarrel, no proof, nothing which could continue the debate

675 through allegation, no litigation related to the water cited above.
578 If any of them should demand the continuation of the debate through the presentation of proofs or arguments, everything would be null and void, for neither the present nor the future provides for this. Both parties have renounced all arguments, both public or private, which they could allege, as well as all the successive declarations (or reclamations) which could be brought forth to impede putting this agreement into effect.

600 A valid and executive arrangement. Both parties attending know the value of the present act, and, by virtue of it, the undersigned notaries, who know them to be in a perfect state of legal capacity (who know them to be of sound mind and memory), make their testimony. On 28 Qa'da al-Haram of the year 1250 (March 28, 1835).

A signature follows, illegible and signed. Another illegible signature follows the first.

Legalization by the qadi: Praise be to God.--I give faith (or testimony) to the above after both 'udul (notaries) have done so.--Servant of his God.--Signature (of qadi) illegible.

18. A SHAHADA ON WATERS: TRANSLATION:

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Praise be to God.

[693] Both the undersigned notaries compile the testimonies presented by the respected 'Abd al-Qadir bin 'Umar al-'Alawi, the honorable 'Umar bin 'Ali, the respected Talib 'Isa Ajtuh, and the honorable Muhammad al-'Arusi, all of the Bani Waryaghal, in which they testify (the testimony of God is the perfect one) that the water ditch, (the property) of 'Abdallah bin Ahmad Amhawil al-Khattabi al-Waryaghli[175]

695 is to be found situated above the ditch of 'Umar bin Yusif al-Waryaghli.
312' [693] This is what the witnesses of the present (act) certify without there
being (any) doubt existing in it. A complete attestation.

693 The undersigned notaries who have compiled (the testimonies which
695 these individuals afforded) from them testify that the latter are in a
perfect state of legal capacity (i.e. of sound mind and memory) to
testify, and they know them (i.e. personally).

[805] On the 21st day of the blessed Sha'ban of the year 1150 (December 13, 1737). Two illegible signatures follow.

19. PURCHASE AND SALE OF AN IRRIGATION TURN: TRANSLATION:

Praise be to the one God.

312 571 The Qa'id Sulaiman bin Muhammad al-Waryaghli al-Khattabi al-Ajdiri[176]
432 buys, with the power and force of God, from the one who sells it,
Siddiq bin Muhammad bin Siddiq al-'Abdallawi[177], one-fourth (of a part)
of the irrigation ditch of Bulma'iz, (in his turn) by day or by night,
his turn reappearing about (once) every nine days; on some occasions
432 he gets it during the day, and on others at night. A valid, definitive
[435] and firm purchase, so much down, without conditions of resale or op-
[436] tions (to anything) other than that assigned here), for a price the
sum of which is 100 duros, in Spanish money (i.e. 500 pesetas). This
amount the abovementioned seller has taken from the abovementioned
buyer, thus recognizing it in front of both witnesses instrumental to
the present act, freeing the buyer from it, who took over his purchase
with complete possession, occupying it in his place of ownership in
conformity with the traditional law and the right of rehibitory action

432 (against this sale which was put into effect) after the sight, pleasure and knowledge of his capability as required.

Both parties concerned know the value of the present act, and, by virtue of this, the undersigned witnesses testify to the declarations of both, for both buyer and seller are in a perfect state of legal capacity (of sound mind and memory) to agree; and the witnesses know (805) them both by sight and by name. In the first part of Rabi' al-Thani of the year 1347 (August 19, 1928).

000 Servant of his God, 'Abd al-Salam bin 'Ali al-Ajdiri, may God be benevolent toward him, amen (signature). Servant of his God, 'Abd al-Karim bin 'Umar al-Khattabi, may God be benevolent toward him, amen. (signature).

Stamp of approval of the qadi: Both 'udul have borne witness (with respect to the above), which he (i.e. the qadi) accepts and to which he gives faith. Servant of his God, Muhammad bin al-Hajj Ahmad al-Bu-Dhimmusi[178], may God be benevolent toward him. Amen. (Signature).

20. SUMMARY OF IRRIGATION:

312
133 In a few words we may show the present day importance and interest of irrigation in the Aith Waryaghar, as tourists from time to time cross this splendid Plain of al-Husaima....

This Plain, under rudimentary cultivation even today (1938), as no one has succeeded or even proposed to amplify it, is completely criss-crossed by an intricate net of tiny irrigation ditches which in general do not feel the touch of water more than every eight days, and some even every eighteen days; and this for winter cultivation.

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

000 In my humble opinion there is more than enough water for the surface area which can be irrigated; and so much more, in fact, that the amount which is lost is greater than that which is put to use.

312 [999] Calculating grosso modo an irrigable area of 5000 hectars, bounded by the main road on the west, as well as a subalveal flow of over 1 cubic meter per second from the Nkur River, according to the approximate calculations made when the supports of the new bridge (i.e. crossing the river at Km. 20 to the Axt Tuzin and Melilla) were set up, it would not be far off the mark to estimate the flow in both rivers, plus that of Thifarwin (in the Aith Bu 'Ayyash) at some 3 cubic meters per second, or 10,000 cubic meters per hour; and this would give daily 48 cubic meters per hectar under permanent irrigation.

Most of this water is now lost in the sea....and represents several millions of pesetas lost while technicians, policy makers and businessmen show no iterest.

[571] [435] [241] It should be remembered that a single turn of irrigation water every eight days costs 500 to 600 duros in the Plain of al-Husaima, and continually produces two harvests a year.

Ghis:

Ditch of Bufma'iz -- May 20, 1938 -- carried 131 liters per second

Ditch of r-Bzimma -- May 20, 1938 -- carried 46 liters per second

Nkur:

Ditch of Aghzar Amzzyan -- May 20, 1938 -- carried 770 liters per second

Ditch of Thimsaman -- May 20, 1938 -- carried 770 liters per second

Ditch of Sidd Jdid -- May 20, 1938 -- carried about 40 liters per second

Ditch of 'Ain Harri -- May 20, 1938 -- carried about 40 liters per second

Ditch of Swani -- May 20, 1938 -- carried about 40 liters per second

21. THE QANUNS OF HUNTING (RAYAH):[179]

224 The data which follow have been gathered principally among hunters
619 from the tribes of the Ibuqquyen, Aith Hadhifa (Aith Waryaghar),
Zarqat, Targist, Aith 'Ammarth and Aith (or Bni) Mazduxi; and they
can be considered as general hunting *qanuns* for the region.

A) Significance:

224
182 Hunting in the Rif was neither a sport nor a profession in the
European manner. It was a physiological necessity, and it is still
considered so today. A poor soil, accidented and dry, rendered it
134
312 difficult for the tribesmen to utilize its scarce sources of water;
262 and the consumption of meat was limited, because of the scarcity of
animals (i.e. both domestic and wild) to Fridays, feast days, days
on which pacts were concluded, days of illness, etc., and to market
262 days. As the Rifian is by necessity a vegetarian[180], sacrifices of
782 animals acquire the status of a rite, and they form a fundamental
ceremony in the most transcendental and important acts of his life.
Peace and war, pacts, births and deaths, rogations, etc., have to be
224 sealed with meat for greater solemnity and efficacy. In hunting,
782 therefore, Rifian society finds a physiological compensation in no
182 way negligible to its sober life and ancestral appetite for meat,
the sacrifice in common and equitable distribution of which is subject
to strict rules[181], the object of the most rigorous tradition and
fiscalization in order not to squander the slender reserves, which are
000 appraised in a manner unsuspected by European minds. The European
visitor who is entertained in a Rifian household is not in a position
to appreciate sufficiently the hospitality which is offered to him,

000 and he acquires a false idea of the environment in which he finds himself.

B) Days and Sites:

224 619 689 For this reason, all the tribes had fixed days for hunting during the week; it was obligatory for all able-bodied men, and those who eluded such an obligation were penalized.[182]

224 This obligation, like all those which this society imposed upon its members, was not capricious, but served a utilitarian end and responded to a basic need. When the number of the line of beaters was greater, so were the probabilities of yield in the hunt, insuring with good practical sense the flushing of a greater amount of game, the consumption of which was the hunt's object most of the time. In most cases, as today, the meat was to be eaten in common, and never sold; for the Rifian, outside of the times of prohibition, the hunt must be free of all bonds and impositions, for today (1939), it if were not for the understandable tolerance of the Spanish tribal administration, the law would become a privilege for the European hunter, reserving for him a distraction or gain at the cost of the need of the tribesmen.

[796] Even today, the Rifians still continue to hunt on fixed days, ordinarily on Saturdays, but never on Fridays (day of rest) nor on market days; even so hunting is not obligatory in most villages. In the clan of the Izimmuren, in the tribe of the Ibuqquyen, people hunt on Saturdays or Mondays; in the Aith 'Ammarth, on Wednesdays, Saturdays or Sundays; in the Aith Hadhifa clan (Aith Waryaghar), on Thursdays or Saturdays; etc.

224 All areas, except for the cultivated environs of houses, saints' tombs and cemeteries, could be used for hunting; those most preferred were low hillsides, stubble-fields and threshing-floors.
[621] Each jma'th, in reality, came to have its hunting boundaries or habitual hunting areas, with preferential rights. Regarding times for hunting, they had no established limitations or prohibitions.
[825] Because of the facility of discovering animals or birds by their
[821] tracks, Rifians prefer to hunt when the sun is strongest.....

C) Organization:

224 The hunt is organized one or two days beforehand, in the suq
554 (as this is the meeting-place of distinct villages....); and here are
671 [443] determined the date, place, dispositive direction and leader (mulu')[183] or major beater, an individual who is always versed in the customary law of hunting.

224 Among points decided upon here is whether the hunting is to be in company (Mor. Ar. shirka, Rifian shirxth or sharxth) or not, which means ultimately if the game collected is for the person who
(578) killed it or not. Ordinarily it is agreed to be in company. This tends to avoid multiple incidents and disputes, and it is only necessary to determine whether the hunters divide up the catch or gather in someone's house to eat it. They almost always agree on the division of the catch before coming back to the village. If there is much game, the division is in terms of the number of animals or birds taken; if not, the animals or birds are cut up and the pieces distributed (r-uzi'ath) among the hunters.

224 Another agreement which is also apt to be made previously, if the hunting is not in shirka, is the case of l-'adaw[184], which is indicated further on, in order to find out if measurements must be taken from above or below.

Regarding the personnel of the hunt, these are generally organized into two groups: the hunters, who go along the lower areas, tracking and flushing game; and the beaters, located in the dominating area and indicating paths taken by the animals to the hunters. Any hunter who gets an animal must change places with a beater, to equalize the possibilities and give the members of the latter group a chance.

The hunters (Ar. mruyah, R. ingmarn) walk in groups or in a line. In the first instance, the dogs go ahead of the groups, and in a line, at the ends, but always with the larger group in order to cut the road better for the game and to preserve it, insofar as possible, from accidents.
224 The disposition which the Aith Hadhifa adopt while
628 hunting in shirka, for example, is in two bands: the local communities of Thizimmurin, Ihadduthen, Iharunen, Mishkur and Bihban from one, and those of Aith 'Amar u S'aid[185], Imrabdhen and Bashkra, the other;[186] and the meeting between both bands takes place in Aghir Inibdar, below Thizimmurin.

224
411 D) Arms:

[178] In the days of the Republik, Rifians hunted with firearms, ferrets, sticks, traps and net. Today they do not use firearms[187]; but practice and necessity have converted them into experts in the use of throwing sticks (r-mitrag). Each man carries two or three

224 of these, and any Rifian worthy of his salt can knock down a partridge
411 in full flight with noteworthy dexterity, and at a distance of fifteen
to twenty-five meters.

[824] The sticks which they use are usually of wild olive wood, in the form of shepherds' crooks, backed by a few turns of copper wiring at each end and the upper third; and this at the same time increases resistence to breakage, facilitates throwing by its greater accuracy.... The net result is that the Rifian is as dangerous, or even more so, to game animals or birds than is the average European hunter with a double-barreled shotgun.

224 At the hour agreed upon, when every participant is provided with his corresponding weapon or dog, they all leave their houses and go toward the hunting site, crying "Haw-haw! Haw-haw!", which is the signal of hunting and reunion.

E) Ownership of Game Caught:[188]

Ownership of game which is caught follows certain rules which are based on a general principle attributing the game first to whoever discovers it; second, to whoever kills it; and finally, to whoever
[578] collects it. In different (or individual) cases, disputes may take
place, and these and the way they are resolved will be discussed
[411] further on. The principal elements of judgment are the range of vision
of the hunters, and the range of accuracy of the weapons, some fourteen
stick-lengths, or forty feet in a stone's throw.

The customary law of Rifian society minutely anticipates how
671 224 many cases may arise, and as, furthermore, it is inspired by reality,
692 it is simple and useful, requiring of the judges, first, competence,

671 224 692 and, second, diligence, both of which are qualities also needed by judges of The Law[189], who, in order to manipulate their terrible weapon, the pen, need attitudes of repose, and sheltered places where they can keep their books and papers and even hide their faces.

224 578 627 614 Incidents which arise during hunts are examined most often by passing them to the mulu' of the same hunting party. He settles them on the spot, giving his judgment on the matter, and in the event that the question must go up in front of the imgharen, the latter limited themselves to doing their duty and to putting into effect the opinion of the mulu', a natural arbiter.

224 578 627 695 [132] Thus it had to be; and if, for example, there was a hunting incident in the snow, the best possible proof of which was individual tracks or footprints, this required, on the part of the judge, diligence in copying or studying before it was rubbed out.

224 681 The usual sanction, all over the Rif, for hunting incidents is a fine of 25 pesetas.[190]

(128) For the examination of different cases which tend to come up often, we have grouped them in the following categories, which facilitate consultation even though they are somewhat arbitrary.

F) Game:

223 671 1) A bird knocked down in flight within the range of vision of the hunters belongs to whoever hits it, until, having hit the ground, it flies up again, in which case, and if it is not wounded again, it belongs to whoever catches it.

223 224 671 2) If a bird or animal is hit simultaneously by several hunters, it belongs to whoever catches it; and if several people should catch it at once, it is divided among them (Aith 'Ammarth).

000
223 at once, it is divided among them (Aith 'Ammarth). In the Sanhaja Srir,
224 the mulu' sometimes resolves the question of ownership by hefting the
627
578 sticks of those who are disputing and giving it to the man whose stick
671 weighs most.
[171]

3) Animals or birds disputed about without sufficient proof of ownership are taken away from both parties and handed over to the mulu' (Ibuqquyen).

671 4) An animal or bird hit both by a shot and by a stick belongs
223 to the man with the stick if it falls less than twenty steps from
224
411 where the latter threw, and to the man with the gun if the distance is
over twenty steps (Aith 'Ammarth).

671 5) A bird hit by a shot and caught by another hunter in whose
223 vicinity it falls belongs, if it falls down dead, to the man who fired
the shot, and to the other man if it is only wounded and if he pursues
it and finishes it off. If there are no witnesses, whoever gets it
[577]
[695] must say if it fell down alive or not, and an oath to this effect can
be demanded of him (Sanhaja Srir).

671 6) Any bird or animal which has fallen outside the range of
223 vision of a hunter belongs to whoever finds it if he is going hunting
224 also; and if he is not, it belongs to whoever wounded it (in the same
way that in the method of acquiring property by vivification, this
case shows a recompense for physical effort, denying rights of recovery
to a goatherd or a traveler whom luck might favor instead of the hunter)

7) A bird or animal sitting in a thicket or in its den belongs
[201] to whoever discovers it; and the latter must make his discovery known
by raising his stick and crying out "l-'adaw", these both being signs
of recovery (Ibuqquyen and Aith Waryaghar).

671 224 [804] If, however, the animal should flee and be killed by another hunter, it (still) belongs to the one who discovered it, although he may not have shot or thrown at it, provided that the distance from the point where it fell to that where it was discovered can be covered by a stone's throw, done either by him himself or by another hunter designated by him, with, furthermore, the choice of either point as that of the stone-throw being open to him (either where the animal fell or where it got up). This is done in order to utilize the slope, if.....this distance had not been previously established.

671 223 224 8) An animal or bird flushed up by a hunter is his if he does not pass beyond a distance of forty feet counted from the point at which it was flushed, and even though the shot may have missed it or if it was overtaken by a dog (Sanhaja Srir).

[681] 9) If an animal or bird wounded by one hunting party is finished off and collected by another one, it belongs to the first party, to which it must be returned even though it may already be cooked; and if it has been eaten, the second party must pay the first 25 pesetas as compensation (Sanhaja Srir).

671 223 623 10) Nests belong to whoever discovers them, and in the event that they are saved as bait in order to hunt the mother with a trap or net, the site must be shown to the jma'th, in order to insure priority rights.

G) Dogs:[191]

671 223 224 231 1) Animals or birds picked up by dogs are not for the owner of the dog, but for whoever takes them out of his mouth (Aith 'Ammarth). This is based upon the fact that if the dogs are not trained, they will

671 223 224 231 eat the birds or animals instead of taking them to their masters. However, from another point of view, it is probably not a bad thing to let them taste meat once in their lives, for not everything in their diet must be bones!

[411] 2) If, at the moment it is flushed, an animal or bird is wounded with a gun or stick and then immediately caught by a dog, so that the result of the blow cannot be determined, it is for the hunter and not for the owner of the dog (Ibuqquyen).

[804] 3) Also for the hunter is any animal or bird which, wounded by him, continues to run and is overtaken by a dog within a radius of fourteen stick-lengths (dhigharya or dhigharyin, sing. dhaghrith, "stick"), counted from the site where the animal was wounded, provided that it shows a fracture. If it does not show a fracture or if it passes this radius, it belongs to the owner of the dog or to whoever picks it up (Ibuqquyen and Aith Waryaghar).

4) An animal pursued by a saluki which succeeds in hiding itself in a thicket or burrow belongs to the first man (i.e. the owner of the saluki), even though another hunter may come to get it (Ibuqquyen).

5) An animal or bird pursued by a saluki and brought to earth by a hunter is for the latter if it drops within the aforementioned radius of fourteen dhigharya (Ibuqquyen and Aith Waryaghar).

H) Aid During the Hunt:

671 224 Whoever discovers an animal in hiding can solicit aid in getting it or can get others to help him spontaneously, without losing his property (i.e. the animal) in either case; but he is obliged, if the

224 aid was rendered with firearms, to pay a cartridge, and if rendered
671 with a ferret, to surrender half of the animal taken, for the
maintenance of ferrets, based on milk, eggs and bread with olive oil,
is costly. The same holds true if he is lent a net; he must pay half
of the animals he catches (Aith 'Ammarth).

671 Anyone who, if help is required of him, denies it and
224 deliberately frightens the game away with shouts and gestures, in
689 order to hunt it later on his own, is obliged to pay a fine of 25
pesetas for his selfishness.[192]

671 I) Snow:

224 The tracks of animals (largely hares and rabbits) and the footprints of hunters give rise to the following cases:

1) The animals are for whoever discovers them and follows their tracks from the point where these begin or further; this is thus a recognition of the greatest effort (Aith 'Ammarth).

2) This right may be yielded by the pursuer, for reasons of weariness, etc., to anyone whom he meets on the way; and in case he abandons the search, he loses his rights (Aith 'Ammarth).

671 3) After the den of an animal is discovered, the hunter makes
224 a circle in the snow around it. This circle is a sign of priority
423 rights to the animal within it, and it permits the hunter to follow
new tracks even though he may not kill the animal within the burrow.
671 In case another man takes the animal from its den, the claim is
224
423 examined in front of the mulu' by the first hunter taking oath to
627 having made the circle in order to locate the animal first.

[681] If through lack of other proof and if afterward it comes to

671 224 423 627 681 be known that one of the parties involved obliged the other one to swear, even knowing that the latter was right, the first party is fined 25 pesetas over and above the value of the animal (Aith Waryaghar).[193]

671 224 4) Animals found on someone's plot of land belong to the man who catches them and not to the owner of the land (Aith 'Ammarth).[194]

J) Nets and Snares:

223 After threshing has been completed in the late summer, threshing floors somewhat distant from the villages are used in order to hunt partridges with nets.[195] The threshing floor is prepared for this purpose, with straw and grains wasted as fodder. It is then surrounded with a semi-circular fence, a sign that it is prepared for birds.

671 223 (685) On a threshing floor, the preferential right to any game caught is that of the owner of the floor. In a floor marked out as indicated above, only the indiviual who prepared it may hunt. Any other person who tries to do so is considered a thief, and the fine he must pay is calculated on the basis of the number of partridges in the net. This right is based upon the patient preparation and expense of fodder, as bait.

223 224 After the den of a rabbit or hare or the nest of a partridge has been discovered, the hunters sprinkle the path to it with the grain residues of threshing in order to gain the animal's confidence; and when they consider it gained, they put the trap hidden between the earth and the remains of the threshed straw.

223 If partridges are being hunted, the net has a truncated conical form. The smaller end is placed in front of the nest and the larger tied to the ground with string or rope. The more the partridge tries to move forward, the more imprisoned it is.

685 Theft of nets is generally punished by a fine in accordance
671 with the written *qanuns* of the tribes.

224 K) Hunting of Jackals (Uhar), Wolves (Ushshan) and Foxes (Dhawardha):[196]

This is effected with an iron trap (*dhakhshifth*), with various strategems employed because of the cunning of the animals in question. Frequently one of these animals attacks the goats furthest away, and tears them into pieces before the goatherd can arrive. The remains of the goat are tied to a branch, and below them, hidden in the ground, the traps are placed in a circle. They are usually left there for a long time, for if their positions are changed, the animal or animals are apt to become wary. The jackal, after conscientious study and with maximum caution, succeeds most of the time in getting within the circle without harming himself, but the repeated jumps, each time with greater impulse, which he is obliged to make in order to get at the goat, end up with his getting caught in one of the traps (Zarqat).

224 In the Ibuqquyen, the bait is usually a reed tube full of
184 horse-flies and covered with very rancid butter; this is hidden in the
825 ground, and the traps are placed around it. The wary jackal usually gets inside the circle, attracted by the smell of the butter; but as the cautious animal scratches and bites, he is frightened by the flies, loses his head, and in one of his disorderly leaps, he lands on one of

224 184 825 the traps and is stuck. In other tribes, instead of a reed tube, dried figs with flies are tied to the traps.[197]

L) Ferrets:

224 231 In hunting with ferrets, these sometimes stay in the burrows of the game for several days and eat the game. In order to get a ferret out of the hole, its owner usually takes a chicken to the mouth of the den and makes it squawk; and the ferret is attracted by the noise. If he does not succeed through using this technique, the owner puts the chicken in a leather bag, in which it is kept, with the bag open, beside the entrance. When the ferret comes out, it enters the bag or stays crouched beside it.

Ferrets are also employed in hunting jackals and wolves (sic). The hunters prepare snares at the entrance of the animal's lair. They put the ferret there, and it is held down by its testicles. Aside from the snare already prepared, the hunters are then ready to finish the jackal off with blows from their sticks as it comes out.

M) Damages:

A hunting party is not responsible for damages which the individual hunters (Ar. mruyah, R. ingmarn) might inflict in garden, orchards, or beehives, etc., but the latter are. The injured party, if he does not accuse a specific person through not knowing who did the damage, can demand that the hunting party denounce the guilty individual, and if it does not wish to do this, it must declare, by name, those who passed closest to the site of the damage occasioned.[198]

If the latter confess, they pay a fine, and in case of denial, [681] [695] they are obliged to swear that they have not done the damage and that they do not know the man or men who did.

224 Not exacting responsibility from the party is based on the
672 fact that theft from beehives, for example, is not undertaken during
685 the hunting, for the following day any disagreement between the members
of the party would denounce it; and because of this, when the hunt is
over, whoever has the intention to do any stealing returns at night
and without witnesses either to the hives or the fruit trees, the dis-
224 position of which he noticed during the day. For this reason the
672 accuser obliges the hunters to point out only those who passed in his
neighborhood.

224 Perhaps in compensation for such damages, there exists another
183 Rifian custom of presenting in the houses any animals which, wounded
and pursued, take refuge in the hedges of cactus surrounding the
dwelling; they are decapitated and thrown into the house, or presented
to the owners.

L) Taboos:

224
782 A Rifian's religion and system of beliefs[199] obliges him to
784 make a special ceremony in the sacrifice of animals (by cutting their
throats), to abstain from eating certain unclean animals, dead flesh,
[751] etc. These, then, are the bases of certain hunting practices: not only
to avoid sin, but to maintain a certain level of hygiene.

For this reason, a shot, a trap-setting, and an unleashing of a
ferret or a saluki is always preceded by the invocation *Bismillah
r-rahman r-rahim*, "In the name of God, the Merciful, the Compassionate".

262 The clansmen of the Aith Hadhifa do not eat animals decapitated
411 by stick or cudgel blows (nor do any other Rifians).

000 Animals caught in a trap which has been set with the *Bismillah*

Animals
224 caught in a trap which has been set with the *Bismillah*
262 invocation must be eaten; but as, unfortunately, a mouse or some other
782 ritually unclean animal might fall in, and as the owner of the trap
783 would have to eat it, hunters prefer not to pronounce the invocation. They would prefer to wait until the next morning, trusting to luck to find the animal alive, if indeed it has not escaped from the trap.

The hunters must see the animals alive and pronounce the invocation in order to be able to eat them.

[231]. For this reason, an animal caught by a dog, as well as one captured by a ferret, must be seen by the hunters in order that it be ritually permissible for them to eat. In the case of the ferret, if the animal turns up dead in its burrow and has not been seen previously by the ferret, it is also rejected, since death might have taken place earlier.

104 M) *Vocabulary*:

1) hunt, hunting--Arabic *rayah*, Rifian *dhagimmarth*, *dhingimarth* or *dhingmarth*
2) hunters--Arabic *mruyah*, Rifian *igimmaren* (sing. *agimmar*), or *ingmarn* (sing. *angmar*)
3) signal of game--*Haw-haw-haw!* (repeated)
4) hunting in company--*shirka*, *shurka*
5) signal for attention and flushing of game--*L-'adaw!*; and if the game in question is partridge--*Birraw!*
6) sticks--*dhigharya* (Iqar'qyen *dhigharyin*), sing. *dhaghrith*, in the Ibuqquyen and in all the Aith Waryaghar save the Aith Bu 'Ayyash and the Jbil, where a hunting stick is called *r-mitrag* and a walking stick *dhqabut*.

104 7) dog--aidi, pl. itan; smaller dog--aqzin, pl. iqzinen

8) saluki or greyhound--ushshai or ushsha, pl. ushshayen

9) ferret--nims or inimsi, pl. inimsan

10) division--Ar. wazi'a, R. r-uzi'ath

11) partridges--dhisxrin, sing. dhasxurth

12) rabbits--iqanniyen (in Jbil of Aith Waryaghar, iqannai), sing. aqanni (in Eastern Rif, aqanninni).

13) hares--iyarzizen, sing. ayarziz

14) jackal--uhar, pl. uharan (properly "fox")

15) wolf--ushshan, pl. ushshannen (properly "jackal")

16) net--dhrarsha (Eastern Rif, dhrashsha)

17) net for partridges--dhinigmarth (dhingmarth, lit. "hunting"); in Jbil of Aith Waryaghar, dhabhyuth

18) net for rabbits--aghassil (??)

19) snare for partridges (of esparto)--ahabbas

20) trap for partridges (of wood)--dhifriwin, sing. dhafruith (??)

21) trap for rabbits and jackals (of iron)--dhakhshifth

22) threshing floor--annar (in Eastern Rif, andrar), pl. inurar

23) bees--dhizizwa, sing. dhizizwi

24) hive--dhaghrasth, pl. dhighrasin

25) Palmetto sling (used by boys herding goats or cattle to drive them on, but used on occasion for hunting as well)--r-wuttaf n-tighzdhand

26) fiber sling of century plant--r-wuttaf w-uxfir

FOOTNOTES:

000 1--The term used by Blanco is "compenetración".

[128) 2--Blanco's sentence construction is often long and involved; literal translation into English does not generally do it justice, and we have had to take certain liberties.

671 829 609 648 648 3--In nearly five years in the Rif, we only met three Spaniards (none of whom was a tribal administrator) who spoke Rifian really well; and on countless occasions Rifians told me, "You, an American, have only been here among us for two (or three, or four, etc.) years, and you speak our language very well; the Spaniards have been here for forty years and have never made the effort to understand a word of it!" Statements of this kind show how clearly the two communities remained apart from one another; and they also show, more obliquely, how deficient the linguistic and sociological training of Spanish officers in Morocco was, particularly in comparison with their French counterparts. In the French Zone, it was virtually a sine qua non that an officer who was scheduled to administer a Berber tribe be able to speak the language fluently. In the Spanish Zone, this was not so; and even the number of administrators who could speak Moroccan Arabic properly was small.

000 [177] 4--Only in a manner of speaking. Resistance to cultural change may seem to be outstanding in the Rif; but if one should compare the Rif with, for example, the Central Atlas at the present day, the former immediately emerges as far the more "acculturated" of the two areas. The reasons for this, furthermore, are not far to seek: greater accessibility, the Arabization tactics of 'Abd al-Krim, and longer contact with Europeans. [181] [609] Rifian hardheadedness and distrust of outsiders are perhaps unique even in Morocco, however, and the result on the level of acceptance or rejection of outside ways has thus been to a considerable extent a matter of the Rifians' own choice; and this is probably what Blanco means.

It is hardly necessary to point out that Rifians do not constitute a "race".

[114] 5--This is a Spanish attempt to penetrate a Berber mode of thought behind an Arabic turn of phrase; and it is rendered all the more difficult by the fact that Blanco knew neither language well, if at all.

6--This seems a Rousseau-esque yearning for, one might say, the jural "simplicity" of the Rif as opposed to the "institutional and legal complexity" of Europe!

[114] 7--Blanco wrongly spells this word islifen.

8--The injection of both patriotism (and/or chauvinism) and value judgments into a work of this sort is something which neither Spanish nor French tribal administrators in Morocco seemed to be able to get away from. [114] More suspect, however, is perhaps Blanco's wish that Rifian law be treated by qualified professional jurists--José María Paniagua y Santos (op. cit., 1948 and 1950) did just this, and the results were a complete fiasco; at least in terms of usefulness of the materials to anthropologists.

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[128] 9--Blanco terms this *el pacto interfamiliar*; I use "inter-lineage" in the interests of greater structural accuracy. The pact itself concerns certain lineages of the Aith Waryaghar. And, as we are dealing here with MSS., I employ standard transcription for classical Arabic.

10--This saint, as his name indicates, comes from the subsegment of Aith Zawith n Imrabdhen (Imrabdhen n Waddai), of the clan Imrabdhen.

[113] 11--In the conversion from Muslim to Christian dates, we have used H. G. Cattenoz, *Tables de Concordance des Eres Chrétienne et Hégirienne*, 3rd Ed., Rabat 1961, as the conversions themselves do not occur in the Spanish translation.

In this connecticut also, it is well to point out that all the qanuns begin with the phrase "Praise be to God", then get to the matter at hand, and terminate with a statement or statements by the notaries, of whom there are always two, admitting the validity of the testimony of all the witnesses present. If the qanun is signed at the end by the qadi as well, he merely confirms the document by literally putting his seal of approval upon it.

12--More often stated as *Uddji wu r-haqq* or *yarrza r-haqq* ("there is no reason" or "reason is broken"), which also alludes neatly to the fact that when a feud is on, the *rhaqq* fine for murder is not paid to the *imgharen*, who themselves, of course, have picked up their rifles to participate!

13--*Haqq* means "law, reason, right"; and in Rifian it has the additional special meaning of "fine".

14--In Spanish, *Oficina de Asuntos Indigenas*.

15--It is difficult to surmise why judges of Muslim law would be "refractory" in their attitude toward markets, as through them they received their bread and butter; for the Shari'a in the tribal areas of Morocco has always been administered (where it has been applicable) in tribal markets. It is interesting, however, that Blanco attributes [114] greater control of markets to the Rif in pre-Spanish times than he does after pacification!

16--e.g. among each other and with the provisions of the *qanun* about to be drawn up.

17--Not so much "mechanism" of Rifian law as the mechanics of Rifian jural procedure.

[184] 18--Among the smaller Rifian tribes, there are often tribal clans which lack their own markets; but Blanco's statement holds true for the Aith Waryaghar, which is obviously the tribe he had in mind.

19--The unpublished *Conferencia sobre el Derecho Consuetudinario Rifeño*, which forms Part II of this work.

20--Again, Blanco uses the term *interfamiliar*.

21--The name of this lineage is written *Isaghwen* in Arabic, but in all likelihood it refers to *Izzugwaghen* ("Sons of the red-head"), a branch of the Dharwa nj-Hajj 'Amar of the lineage of Aith Injin, of the Aith 'Aisa (r-Qman?) of Tazurakhth.

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[614] [114] 22--All the lineages referred to in this paragraph live in the village of Tazurakhth, subclan of Aith 'Adhiya, clan of Aith Bu 'Ayyash, in Aith Waryaghar. In my own notes, however, we have no record of any lineage named Izubu'an in Tazurakhth, and this point we checked out with informants from the same village in 1954.

[681] [728] 23--The holiest man in all the subclan areas of the Jbil of Aith Waryaghar, Sidi Ahmad (or, as he is called locally, Sidi Hmid) n Sidi r-Hajj Mis'aud, was of the Aith Kammun lineage of the subclan of the Lower Imrabdhen of the Aith Waryaghar clan of the Imrabdhen. It might be noted that he received one-fifth of any fine paid for a crime committed in the market or on the market road; the other four-fifths were divided up among the other constituents of the market, along tribal and segmentary lines (one for the Axt Tuzin, one for the Aith Bu Khrif of the Aith Bu 'Ayyash, one for the Aith 'Arus and one for the Aith Turirth). Sidi Ahmad also collected an annual ziyarth from the constituents of the Wednesday Market of Tawrirt, and every summer he made a trip through his bailiwick in order to bring about a cessation of bloodfeuds at harvest time.

[648] [115] 24--From the lineage of Aith Wuzghar in Aith Bukhrif, of Aith Bu 'Ayyash Proper, Haddu n Muh Amzzyan became a qa'id quyad (qa'id of qa'ids) under 'Abd al-Krim and was the leader of the largest Rifian irregular force on the French Front in 1925-26. Under the Spaniards, he was qa'id of the Nkur qa'idate of Aith Waryaghar from 1926 to 1951, when he was removed from office by the Spanish authorities because of unnecessary harshness. He died on March 1, 1955. My own recollection of him is that he was the most remarkable informant I have ever encountered in Berber Morocco, a walking encyclopedia of Rifian custom.

25--This passage is difficult to translate and even perhaps unclear, but it is nonetheless a faithful rendering of the long-winded and verbose notarial prose in Arabic which any 'adl employs to terminate a document before signing his name.

[792] 26--What is meant here is that if the name of a sharif or holy man figures in any given qanun, the talib who is recording it tends to list him first of all, irrespective of whether or not he is the clan's most significant spokesman.

27--"Customary tribunal" is a term which the French applied to the courts of Berber law which they underwrote in the Atlas; and for this reason, it seems doubtful to me that such a notion can apply here, even though the idea that "custom was king" in the Rif was largely or even entirely valid during the "Republik".

28--Blanco makes no mention here of the haqq-houseburning relationship.

[114] 29--It seems fairly obvious that Blanco has inadvertently picked up this term for "vengeance" from the extensive literature on the Kabyles of Algeria; the Rifian term is r-'adhawth.

[426] [423] 30--R-rhin, "mortgage", always applies to land or houses, i.e. to real property. If A needs money, he gives B some property of equivalent or greater value in return for lending the money to him. When A regains his money, he pays B back and takes back his property. In the Rif,

000 unlike the Central Atlas, there is no special time limit on repayment.

31--Imhawlen is the literal transliteration from the Arabic text,
[614] rather than the Rifian form Imhawren. The Imhawren are one of three
subclans of the clan of the Aith 'Ari, of the lowland Aith Waryaghar;
and the clan of the Aith 'Ari, along with that of the Aith Yusif w
'Ari, form a single khums or "fifth" in that tribe.

776 32--Sidi Mhand u Musa (died 1254 A.H., or 1838-39 A.D., according to
692 one informant), the apex of the lineage of Izziqiwen of the clan of
the Imrabdhen. Sidi Mhand u Musa is buried in Aith Hishim and is one
of the most important saints of the Aith Waryaghar. As the text
776 indicates, he adjudicated disputes and settled feuds (between the
778 Aith 'Ari and Aith Yusif w 'Ari clans); and he is said to have had
a great deal of baraka, which, in accordance with Rifian notions of
692 baraka-transmission, was successively passed down to only one descendant at a time: from Sidi Mhand u Musa to his grandson Sidi Misa'ud, bypassing his own son Sidi Siddiq; then to Sidi Misa'ud's son Sidi Hmid n Sidi Misa'ud; then to Sidi Siddiq's son, Sidi 'Abdssram n Sidi Siddiq; on the latter's death, to his son Sidi Muhand; on the latter's death to his son Sidi r-Hajj 'Amar, who was made qa'id of Imrabdhen by the Sultan Mulay 'Abd al-'Aziz; and then to his brother Sidi Muhand.

Some informants say that Sidi Mhand u Musa and his descendants
776 are the only true shurfa among all the Imrabdhen in the Aith Waryaghar,
792 and that they have the right to their share in the sunduq or box of Mulay Idris for this reason. The share in question is divided up every year at the time of the Mulud: either a representative of the Dharwa n Sidi Mhand u Musa goes to Fez to get it, or, as the descendants of Mulay Idris are said to have a complete listing of those entitled to such shares, they sent them out. The shares are the same every year, but informants were unable to tell me the amount (a fact which in itself casts suspicion on the legitimacy of their claim to be shurfa). When the allotted amount arrives in Aith Waryaghar, it is divided into four parts: one for the descendants of Sidi Misa'ud ("Burjila") n Sidi Siddiq n Sidi Mhand u Musa (the Iburjilathen of Aith Hishim), one for the descendants of Sidi 'Abdssram n Sidi Siddiq n Sidi Mhand u Musa (also in Aith Hishim), one for the descendants of Sidi Haddu n Sidi Siddiq n Sidi Mhand u Musa (in Zawith n Tashtiwin, in the subclan of Aith Tmajurth, in the clan territory of Aith 'Abdallah, and in Swani, where the Plain of Alhucemas meets the Mediterranean at the mouth of the Nkur River, in the clan territory of the Aith 'Ari), and one for the descendants of Sidi Muhammad n Sidi Siddiq n Sidi Mhand u Musa (in Aith Hishim).

000 33--The reference here is probably to Sidi Hmid n Sidi 'Ari n Sidi Musa n Sidi Hmid l-Quruni, the father of Sidi 'Abd r-Qadar Agnau, of the lineage of Aith 'Aziz in the subclan of Upper Imrabdhen. Both father and son are buried in the Zawith n Sidi 'Abd r-Qadar, located in the subclan of Iraqraqen in the clan territory of Aith Hadhifa.

Once again, with Sidi Mhand u Musa and Sidi Hmid n Sidi 'Ari, both subclans of Imrabdhen are represented, no doubt in order to give greater validity to their roles as adjudicators, but also to the qanun itself.

000 34--Spanish literature refers to any Rifian who, during the "Republik", had done remunerative work for the Spanish administration on Al-Husaima Island as a pensionado de la isla.

35--It appears that here Blanco implicitly recognizes the Rifians' desire to preserve their system of checks, balances and oscillations within the framework of their segmentary lineage system.

36--"Counter-espionage" might be nearer the mark here, for it is up to the members of the jma'th in question to watch over their own property!

37--Blanco refers here to the addenda in the qanun after the two illegible signatures. A

[436] 38--The duro hasani, more than any other denomination of coinage, was the Rifian monetary unit during the "Republik".

[114] 39--It seems to us that Blanco tries to infer too much from the order of appearance of the councilmembers' names; and undue emphasis is placed on social protocol as well. These traits are, of course, very Spanish!

[114] 40--Also very Spanish is the labored and rather far-fetched comparison with the urban ayuntamiento.

41--A word or two of explanation (as of 1961) is necessary regarding the Rifian monetary system. First of all, none of these coins have been in use since protectorate times; all of them date back to the "Republik". It will also be made increasingly clear below, in the text, that bigger fines for graver offenses were always expressed in terms of hasani duros. Secondly, in the corresponding peseta equivalents, it must be remembered that the peseta values are those of 1939, when the Spanish peseta was worth a good deal more than it was in 1961. Thirdly, Blanco does not mention the fact that Rifians call a peseta by the name frank, pl. franik, a term borrowed, of course from French franc, but not to be confused with it. Five franik made a duro, the word riyal being foreign to Rifian usage. This has created considerable terminological confusion, particularly since the introduction of Moroccan francs in 1958 and later, in 1961, the new Moroccan dirhams, into the North Zone. As 10 Moroccan francs, more or less, equal 1 Spanish peseta, the Rifians, unwilling to give up their old monetary terminology, call a ten-franc piece frank, a twenty-franc piece dhnain franik (two franks), a fifty-franc piece khamsa franik (five franks), and a one-hundred franc piece or note 'ashra franik (ten franks). And as the new Moroccan dirham is equal to 100 old Moroccan francs, it is also called "ten franks" by the Rifians, although within the next few years it is probable that the term dirham, or ij udirham (one dirham) will become common usage.

[114] 42--It is perhaps neither warlike nor religious in Blanco's interpretation of this qanun; but it is always highly contradictory and indeed erroneous assertions of this kind which seriously weaken the fabric of Blanco's arguments.

43--Hospitality to guests is very important, in the Rifian scale of values, and nobody would deny this; but is it the most important institution of the jma'th???

A. [See p. 290--Analyst]

000 44--Which is unwritten in any case.

45--The Aith 'Abdallah are at once a clan and a "fifth" of the Aith Waryaghar.

46--In Rifian, Dhara n Tihrariyin, "the spring of the pure women(?)". The Tuesday Market once located there has not been functioning since the establishment of the Spanish protectorate, or earlier. The people of Aith 'Abdallah at present share a market, held on Mondays, with those of Aith Hadhifa; this market is located on the border of the two clan territories.

[614] 47--Sidi 'Amran is buried in the jma'th of Aith S'aid, in the subclan territory of Aith 'Aru Musa, one of two subclans of Aith 'Abdallah (the other being Aith Tmajurth).

[114] 48--Presumably with eleven of his agnates as cojurors, for twelve must swear in cases of suspected homicide; but there is no mention of this in the text and Blanco, whose knowledge of collective oaths in the Rif was sketchy, does not comment upon it.

[114] 49--Blanco's notions of Rifian segmentary lineage organization are somewhat deficient; for although the notion of a confederation of tribes might once have existed in the Rif (vide the liffs of Ghumara and Sinhaja), but during the "Republik" as described both by Blanco and myself, it most emphatically did not exist, nor does it exist today.

50--"Autonomous" would perhaps be a better word in this connection, for any segmentary system presupposes an interdependence of its component segments, upward, downward and laterally; and within the framework of such a system, maintained as it is by the principles of balance, oscillation and opposition, there is always some (and often very considerable) latitude for a (virtually or largely) autonomous existence on the part of individual segments, irrespective of the segmental level under consideration.

[619] 51--Because the Aith Waryaghar, in point of population, are the biggest tribe by far in the entire Rif (with the Igzinnayen following, at some distance), its clans may be functionally equated, in certain respects but not in others, with whole tribes elsewhere.

671 52--The Aith 'Adhiya are one of two subclans of the clan of the Aith Bu
'Ayyash (the other being "True" Aith Bu 'Ayyash), of the tribe of Aith
614 Waryaghar. We have referred to it as Bani 'Adhiya rather than Aith
'Adhiya in the text itself, as this is how it appears in Arabic.
614 Although the Aith 'Adhiya are strictly speaking a subclan rather
than a clan proper, as the Aith 'Abdallah are (see Chap. VI), they are
162 nonetheless about the same size as the latter in point of population;
and the whole clan of the Aith Bu 'Ayyash, with both subclans considered, is the biggest in the tribe, and by a rather wide margin
614 (population 22,000 in 1960). This fact helps explain two things:
616 1) why the Aith 'Adhiya and the "True" Aith Bu 'Ayyash are in opposite
liffs, and 2) why the qanun of the subclan of the Aith 'Adhiya deals
671 with almost exactly the same matters as that of the clan of the Aith
'Abdallah. Aith 'Adhiya and Aith Bu 'Ayyash form one "fifth".
619

000 53--This is probably Aith Tizi, forming a part of the larger *jma'th* of Ighmiren, with Aith Fars.

54--Whether all the Aith 'Adhiya jointly sacrificed two bulls, or whether one each was sacrificed by the members of each *liff* is not indicated.

55--The market in question is the Monday Market of Aith Bu 'Ayyash.

[671] 56--In both this *qanun* and that of the Aith 'Abdallah we see how the fine for murder committed in the market is double that for murder elsewhere. Both *qanuns* also imply that not only must the fine be paid but that the murderer's house and crops will be burned as well. All informants from all over the Central Rif, however, said time and again that if the fine is paid, there is no houseburning. The root of the discrepancy seems therefore to be an implicit assumption that the [735] average murderer is too poor to pay the fine, which is in any event prohibitively high.

57--In some respects one can see what Blanco means here, but such a statement, particularly regarding the "superficiality" of Rifian Islam, is one which the Rifians themselves would hotly and vehemently deny. In their own eyes, they are extremely good Muslims!

[262] 58--Rifians tend to eat meat, as a rule, only on one day of the week: when they buy and bring it home from the market.

[114] [682] 59--Blanco here confuses the *ddiyith*, or blood money, to be paid to the victim's agnates, with the *rhaqq*, or fine for murder, to be paid (both payments being made by the murderer and his own agnates) to the council-members.

[682] 60--Blanco's point about 1000 duros being the fine for murder under normal circumstances (i.e. outside the market) and 2000 for murder inside it is very well taken; and, as he implies, these sums are indeed the norm all over the Rif. But once again, he confuses fines with blood-money, and they are entirely different.

61--Again, read *rhaqq* or fine.

62--Again, read *rhaqq* or fine.

[114] 63--This is an interestingly expressed idea, but the linkage with nomadism seems questionable.

[614] 64--As already indicated, the Aith Khattab include the two Waryaghar clans of the Aith Yusif w 'Ari and Aith 'Ari; and in this sense they might be considered a "super-clan", particularly if, as some have it (though this is nowhere indicated in the text of the *qanun*), they embrace the Aith 'Abdallah as well. In the same way, Aith Bu 'Ayyash, if it embraces, on the topmost level, the two clans of the Aith Bu 'Ayyash and Aith Hadhifa, may also be regarded as a "super-clan" of the same order of segmentation. However, the group in question is referred to as *Bani* Khattab, not Aith Khattab, in the text of the *qanun*.

65--As indicated, this *qanun* is valid only for the coastal Aith Khattab, those of both Aith Yusif w 'Ari and Aith 'Ari who live in and around the Plain of Alhucemas, bordering the Mediterranean.

000 66--The tomb of Sidi Bu 'Afif is located in Tafrast of the Aith Mhand n Yihya, near Ajdir, in the Aith Yusif w 'Ari. The market right beside it ceased to function after the establishment of the Spanish Protectorate.

[776] [732] 67--This saint, nicknamed Bu Rjila, "possessor of a small foot", because of his lameness, was a direct descendant of Sidi Mhand u Musa of Aith Hishim (Lower Imrabdhen). In his time, Sidi Hmid Bu Rjila, to call him as the Rifians do, was the most important saint among the lowlanders of Aith Waryaghar, and his ability both at adjudication of intra-tribal conflicts and at dispensation of baraka were legendary.

[613] [614] 68--Ajdir, or Aith Ujdir, forms a lineage unit within the subclan of the Aith Ughur Izan of the clan of the Aith Yusif w 'Ari, but not all the names which follow are those of the Aith Ujdir properly speaking.

69--This sum is only one-quarter of the usual amount for murder in the market; and we have unfortunately no explanation of why this should be the case.

70--A value judgment, of course, but not without amusement when taken in context.

71--The jillab is a cloak, formerly of wool but today often of cotton as well, with sleeves and hood, and is par excellence the Moroccan male garment.

72--Sneakers were perhaps commoner in the Rif as male footgear than any other type of shoe, in Spanish times.

[464] 73--What Blanco probably refers to by "forced internment" is that city Arabs have since Spanish times been found in tribal administration posts as white-collar workers, male nurses, etc.

[114] 74--This is hardly the case. Such city dwellers to be found in rural administration posts, in our experience, do their best not to imitate the tribesmen, who today are gradually becoming more urban, or more Westernized, in dress.

75--Blanco actually means aitharba'in rather than agraw in this particular context.

[113] 76--A concentric theory of community and/or tribal loyalties in Middle Eastern social structure has been elaborated by John Gulick, Social Structure and Culture Change in a Lebanese Village, Viking Fund Publications in Anthropology, New York 1955.

77--Ra'is in Arabic is "headman", from ras, "head".

[792] [113] 78--Mulay Admad al-Raisuli was a sharif from Bni 'Arus in the Jbala whose colorful career in the first quarter of the 20th century ranged from provincial governor to bandit, and whose story is most engagingly told by Rosita Forbes, The Sultan of the Mountains, New York: Holt, 1924. In early 1925, Raisuli was captured by 'Abd al-Krim and died in April of that year in Thamasind, in the heart of the Aith Waryaghar. He is buried in the village cemetery at Thamasind, and his grave, which we have seen, is in no way different from any of the others.

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Senhaja MX4
Aith Siddat

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79--It seems that Blanco has mixed his references here. The qanun of the Aith 'Abdallah decrees the death penalty for murder in the market if the murderer be apprehended on the spot, and a fine of 2000 duros if he should escape; the qanun of the Aith 'Adhiya decrees a 2000-duro fine for murder in the market, with no mention of a death penalty; while the qanun of the Aith Khattab only decrees a 500-duro fine for market murder, as we have seen.

R (114)
80--It is very probable that women's markets are an old institution in the Rif, but an assumption of antiquity in terms of "thousands of years" seems rather extravagant!

81--This is an implicit acknowledgement of the role of balanced opposition in segmentary societies. See also Lewis, op. cit., 1961.

R (619)
82--Presumbly what is meant here is the ensemble of clans forming the tribe.

83--See R. Montagne, op. cit., 1930, passim.

84--It is not clear here whether Blanco refers to the domination of the imgharen of 'Abd al-Krim, or of the Spaniards.

85--This, in our opinion, is one of the most profound statements Blanco ever committed to print.

S 619 671
86--Blanco calls this tribe the Bni Siddat, but outside the qanun itself, we have given them the benefit of the doubt and have called them the Aith Siddat. They are entirely Berber-speaking (Sinhaja Srir dialect), and are one of eight tribes in the Sinhaja Srir confederacy, the others of which are Aith Khannus, Ktama, Aith Bu Nsar, Aith Hmid, Aith Bshir, Bni Bu Shibt and Taghzut.

S 671 619 614 114
87--This is a shrewd inference on Blanco's part. We do not know if such was the case, but suspect that it was, particularly in view of the centralization of the Sinhaja Srir under the politico-religious leadership of the Shurfa Ikhamlijhen in Targist and elsewhere.

88--As the qanuns on the jma'th level do.

000
89--Here again, Blanco mistakes the ddiyith for the rhaqq.

S 681 614 212 671 173
90--A written law in only the qanuns with which Blanco has presented us here. Qanun documents in the Rif and the North in general are extremely scarce (unlike the Sus); for usually, the substance of the Rifian qanuns is contained not in documents but in the heads of the oldest surviving men; when they die off, all this material will have been forgotten.

91--For ddiyith, read rhaqq, and the same for the rest of this qanun.

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92--The reference here is primarily to Rifian labor migration in Algeria.

S 181 167 114 000
93--It is certainly true that the Aith Siddat are an infinitely smaller and vastly poorer tribe than the Aith Waryaghar; but it seems questionable to me to attempt to infer from the mere presence or absence of a given statement in a qanun that they are more zealous in guarding their property.

R (114)
94--As discussed in Der. Cons. Rif., at some length, liff means "alliance". Blanco, however, is guilty of a howling error here, for he transcribes it throughout the text as lift, which in Moroccan Arabic Arabic means "turnip"!

000
S
(619)
95--The two tribes in question are Bni Bu Frah and Bni Gmil, the former a predominantly Rifian even though largely Arabic-speaking tribe, and the latter, also predominantly Arabic speaking, disclaimed by both the Rifians and the Sinhaja Srir.

R
(613)
96--A lineage of the clan of Agni, of the Bni Bu Frah, this unit, as indicated by its name, came from the tribe of the Igzinnayen. It is the second of the two Rifian-speaking lineages of the Bni Bu Frah.

97--Two questions emerge here. First, the text refers to "both clans", when in actual fact Bni Bu Frah has four clans. This may, however, mean one of two things: a reference to Muhammad bin al-'Arbi, the Awlad Ghadura and their allies (Muhammad bin al-'Arbi and the Awlad Ghadura being considered as one clan and the allies as another), or it may in fact refer to the two *liffs* into which the tribe was split and thus embrace all four clans. The first, in context, seems more probable. This jibes with Blanco's statement, in the commentary (note 259), that the two clans in question are Agni and Ulad S'aid.

Secondly, we find, in the notion of payment for combatting their own people, a contradiction in terms. But this can probably be explained away by the fact that what this statement (which is highly unclear) probably refers to is that those who stay on the tribal border and combat any of their tribal brethren who try to evade the collective obligation by sneaking home are indeed exempt from payment of any fine, because their conduct has been exemplary.

R
(613)
(619)
S
(619)
One further point: the fact that lineages from every clan of the Bni Bu Frah are mentioned in this border agreement suggests the total involvement of the tribe as well as, implicitly, that of all of the Bni Gmil; for in small tribes, such involvement is total, whereas in large ones, such as the Aith Waryaghar or the Igzinnayen, this may not be (and indeed often is not) the case.

R
(613)
(614)
S
(619)
98--Even so, lineages from the other two clans of the Bni Bu Frah, Swahil and Ibuyihyathen, also appear to have been involved (see text of *qanun*); and presumably all or most of the Bni Gmil was involved as well, though this is nowhere stated in the text.

99--The mobility of tribal borders to which Blanco alludes here was quite relative; and it was far less great than, for instance, that among desert Bedouins, or even transhumants.

100--The *liff* system is perhaps a center-piece in Rifian political organization; but it is not the only one. There are other institutions with almost equal claims to primacy, such as the plural oath.

101--The *liff* system did bind together different social units, but always, let it be remembered, those of the same order or level of segmentation--unless, for example, a shift in alliance occurred, in which case it was possible for a *liff* to move upward or downward (in a structural sense) in gaining or losing new adherents.

It will be noted that the bulk of Blanco's commentary on *liffs* here is substantially the same as his chapter on the same subject in *Der. Cons. Rif.*

800 102--Whether by this Blanco is referring to the two rival bands within a tribe (i.e. the Rifian liff system as described in successive notes in Book 2) or to the rival bands of Ghmara and Sinhaja he does not specify; but we suspect the reference is to the latter, and we have already put our own view on this subject forward elsewhere.

103--As they could also, no doubt, for the theory of whether liffs start wars or stop them.

[613] 104--An examination of the segmentation of the Bni Bu Frah shows us that lineages from all four of the tribal clans are in fact parties to the border defense agreement.

105--It is not clear from the original mss. whether by "least clear or tangible" Blanco refers to the tribe of the Bni Bu Frah or to the aspects of Rifian political organization under consideration.

106--Once again: for ddiyith, read rhaqq. This consistent howler becomes tiresome!

107--A somewhat similar situation, although born of quite different circumstances, is revealed in a tripartite qanun dated 1909 and translated and commented upon by Manuel Llord O'Lawlor ("Un Canon Bereber Tripartito", Tamuda, IV, 2, 1957, pp. 305-309), which involves an agreement between two Ghmaran tribes, Bni Smih and Bni Grir, and one "Rifian" (by default, as it is entirely arabic-speaking) tribe, Mtiwa, to establish a ribat in the harim or sacred territory surrounding the tomb of Sidi Yahya al-Wardani in Mtiwa; for Sidi Yahya is regularly visited every year, in mid-August, by all the surrounding tribes.

108--The punishment for whoever does not obey the order in question is not stated.

109--Literally, "big man of the military expedition"; under 'Abd al-Krim it referred to a top commander of tribal levies, rather than Rifian Army regular.

110--'Abd a-Krim Haddu n Si Ziyan, of Ajdir, and 'Abd al-Krim's cousin (and therefore a member of the lineage of Aith Zar'a), was the latter's qa'id al-mishwar (a term which might be translated as "privy counselor"). He took over all of Raisuli's money, after the latter was jailed in Thamasind early in 1925, and handed it over to 'Abd al-Krim.

111--Of this document, we have only the Spanish translation; there is no photocopy of the Arabic original in La Ley Rifeña.

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[184] 112--There is, in actual fact, very little fishing among the Aith Waryaghar, who possess only a very small strip of beach where the Plain of Alhucemas meets the sea, at Swani. The Ibuqquyen and Thimsaman, their neighbors to the west and east respectively, are more active fishermen.

113--The agharrabu is the standard Rifian fishing-boat. Made of pinewood and caulked with tar, it measures 6 m. x 2 m. x 1 m., and in 1954, cost about 7000-8000 pesetas. It is a rowboat, with oarlocks beside each of its three or four benches such that if one bench has an oarlock on its right side, the one in front of it or behind it will have one on the left side, etc. Oars measure 3 m. in length. Coon (op. cit., 1931, p. 43) speaks of the existence of sailboats on the Mediterranean coast of Morocco, but says they are less common than the agharrabu described

000 here. We have never seen or heard of them.

[463] [396] 114--There was a master boatbuilder who lived on the beach of Aith Bu Dawud in the Thimsaman, none in the Aith Waryaghar. He had no helpers in 1954, and got 500 pesetas and his food from future boat owners for building a boat.

115--The usual arrangement in this case is that the profits are split in half, one-half for the owner of the boat and the other half for the ra'is and the crew.

501 463 226 [434] 116--Each boat has a ra'is and a crew of four or five men. Sometimes, though rarely, the owner of the boat will be a different individual altogether; more often, however, the ra'is himself is the owner. It is also common for three or four fishermen to go shares on the price of an agharrabu or moruna (another common fishing boat of the same type, but smaller and of Spanish make), and they elect the most capable among them to be ra'is. If, for instance, there is a ra'is and a crew of four, the money from the sale of the catch is split six ways, the ra'is getting two parts. Before any division is made, however, 15-25 pesetas are given to the mule and donkey men who transport the fish to the tribal markets, while small boys who help pull the nets ashore receive one or two kilos of the catch.

226 The mouth of the Nkur River, emptying into the Mediterranean on the eastern side of the Plain of Al-Husaima, is an ideal place to fish, particularly in the area around Swani (Thimsaman). A boat takes the net (dhrarsha) out, leaving one of two ropes on the beach in the hands of a number of men or boys. When it has reached the end of the rope length, the net is let out in a semi-circle, with curled up ends, resembling a snail. The boat is then rowed back to shore, and the other rope then handed out to a second group of men and boys, as far away from the first rope as possible. When fish begin to collect in any quantity, each group starts pulling in on the ropes, lessening the distance between them as they do so. If the catch promises to be big, the agharrabu goes out again, to be rowed in behind the net in case of trouble. The site of the net is determined by the crew, who know where the fish are by watching places where birds dive into the water. After the net is hauled up on the beach, the crowd rushes out to scoop up the still leaping fish into baskets. They are put on a common pile in the sand, and the division of the catch begins. During the season, boats go out twice a day, in mornings and afternoons. Late summer is the heaviest season, and the ra'is and crew sleep and eat on the beach. They always have to be on the lookout for breaks in the nets and for fish which enter. At other times of year, after laying the nets out to dry, all go home and return in the morning; but with morunas, one person is always there, day or night, as a guard.

000 117--Capt. Gardiner was an English adventurer who ran guns to 'Abd al-Krim during the Rifian War; and Si l-Hadi n Dadi, of the lineage of Thighanimin, subclan of Izimurren, clan of Izimmuren, tribe of Ibuqquyen, still lives in Alhucemas (1961). During the Rifian War, in 1924, 'Abd al-Krim sent him to Paris with Si Muhand Uzarqan, the Rifian Foreign Minister, to try to preserve good relations with the French (which were broken when 'Abd al-Krim invaded the French Zone of Morocco the following year). After the war, Si l-Hadi eventually became, under the Spaniards, khalifa to the pasha of Al-Husaima, then known as Villa Sanjurjo.

000 [648] [744] 118--Malaria, of the "paludism" variety, was a considerable problem in the Rif of 1939, of which Blanco writes. In 1952-53, however, the Spanish administration conducted a vigorous DDT campaign, which made considerable strides in stamping out this disease.

119--*Twiza* is also often translated as "corvee". In Rifian, the word is *dhiwiza*, pl. *dhiwizawin*.

[466] 120--Any individual who failed to show up to take part in a *twiza* organized for repairing a ditch (of which he was--or is--one of the users) had to pay a fine ranging from about three to five duros. This fine, however, was not and is not paid to the *aquwwam*, but is levied as *r-haqq* by the *jma'th* in question, whose members buy and consume tea and sugar with the proceeds.

121--Irrigation turns, after the lots have been drawn to establish the order in which they occur, continue in the same order until something happens to the ditch, i.e. if it is washed out by a storm or if it loses water completely; and then lots are drawn again.

[613] 122--In 1953, the Granja Agricola had two days out of an eight day irrigation turn cycle, from the Dharga Hadhidha, on the left bank of the Nkur River. The other six days, the following lineages irrigated from the same ditch: Bu Srama (Izakiren, in the Aith Bu 'Ayyash), Ixatshumen n Waddai (Isrihan, in the Aith Yusif w 'Ari), Ihaddjiyen (Izakiren, in the Aith Bu 'Ayyash), r-'Aramth (affiliation unknown), Aith 'Alla (Imhawren, in the Aith 'Ari) and Aith Bu Minqadh (a "foreign element", supposedly from the Sus, in the Aith r-'Abbas subclan of the Aith 'Ari).

123--An *akhammas* is a poor sharecropper who receives one-fifth of the grain harvest of a richer individual with whom he has an annual verbal contract.

124--Blanco handles in a most able manner the whole question of the relationship of irrigation turns to lineage structure. Although by no means 100% accurate in all instances, his equation of the usage of secondary ditches by *dharfiqin* and of the smaller tertiary branches by the *ijujga*, or lineage branches, is certainly correct enough and widespread enough, in the Plain of al-Husaima in particular (where the distribution of irrigation turns is a very complicated affair), to be taken as a rule of thumb.

125--This seems a strange remark, particularly because it is italicized; as only plowing and sowing takes place in winter in the Rif, while the harvest is taken in mid-summer. However, it is possibly intended in irony, to show the poverty of the region.

126--Blanco refers here, in somewhat poetic and rhapsodic fashion, to the great topographical difference between the arid mountains along the upper course of the Ghis and the fertile alluvial Plain of al-Husaima which characterizes much of its lower course.

127--This number may have been 55 in 1939; it was certainly much higher in 1961.

128--Blanco mistranslates l-Bzimma, and, by extension, al-Masimma, as "the renowned".

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[175] 129--Al-Mazimma was the port, in the 8th century A.D., for the City of Nakur. Modern Rifians do not confuse it with al-Husaima which, they say, aside from the present city and provincial capital of that name, covered the whole area from Badis in Bni Bu Frah to Ras Sidi Sh'aib in Thimsaman. It should also be noted that Sidd, in Arabic, means "dam".

[923] [432] 130--A translation of this document is given in Chapter XVII. It should be noted, in any case, that if a foreigner or anyone whose family does not traditionally irrigate in the area comes to buy land (and to build a house, etc.) in the Lower Ghis region, he has no right to irrigation water until he buys an irrigation turn. He must, furthermore, have a document proving that he bought his turn.

[712] [648] [175] [113] 131--The Jami' al-Mujahidin, or "mosque of the fighters of the faith", where the Aith Waryaghar mounted a permanent and perpetual guard against Spanish invasion, from 1673, when Spain occupied the Isle of al-Husaima, until 1926, when 'Abd al-Krim surrendered. See Andrés Sánchez Pérez, "Datos Historicos sobre Ciudades Rifeñas, Selección de Conferencias y Trabajos realizados durante el Curso de Interventores 1951-52, Tetuan 1952, pp. 29-47.

[175] [648] [631] 132--Both these men were of Ajdir, subclan of Aith Ughir Iyizan, clan of Aith Yusif w 'Ari. The Qa'id Sriman r-Khattabi, a lifelong enemy of 'Abd al-Krim who during the Rifian War was pensioned by the Spaniards and in 1926 made qa'id of all Aith Waryaghar by them, died in 1936.

133--This statement needs some qualification. The four names under consideration here, although two of them (Ajdir and Ughir Iyizan) certainly correspond to lineage names, are in effect names of irrigation turns, for, on the other hand, Bu Mqathir and Zawith (the latter refers to the area around the Monday Women's Market, at Azghar, and not, as far as we know, to any particular zawiya) are both place names, and in both these instances, as indicated in the notation of participants in the Zawith turn, it is the lineages who form local groups in the area under consideration who have right to irrigation water, irrespective of their clan affiliations. In the Zawith turn, again, one of the participating ijujga is that of the Andrusen: this lineage, whose name means "Andalusians", has become a member segment of the subclan of Lower Imrabdhen, in the clan of the Imrabdhen; we say "has become" rather than "is", because, as in fact its name shows, it is made up of the descendants of "foreign shurfa" rather than of those of local ones. Another participating jajgu, the Ihaddallahan, is a lineage branch of the Aith Mis'aud u Yusif of Ajdir, of the subclan of the Aith Ughir Iyizan in the clan of the Aith Yusif w 'Ari; while the Ushshannen are a branch of the Aith 'Aru 'Aisa, also of Ajdir. We have unfortunately been unable to establish the lineage affiliations of the Fisra and Dharwa nd-Hajj 'Abdinnbi; and, like Blanco's, our own notes on irrigation in the Lower Ghis (made in Imzuren in the autumn of 1953) have nothing to say regarding the lineage participating in the Bu Mqathir turn on the fifth day.

However, one point is very clear: that with the rotation over the first four days between Ajdir and Ughir Iyizan, and the additional fact that at least two lineages of Ajdir participate in the Zawith turn, 000 the participating lineages are overwhelmingly affiliated with Ajdir and the Aith Yusif w 'Ari. Indeed, through the first four days, the participants are all members of lineages localized in Ajdir and its immediate environs. Although Ajdir itself may be considered a segment of the subclan of the Aith Ughir Iyizan of the Aith Yusif w 'Ari, the distinction made in this context between "Ajdir" on the one hand and "Ughir Iyizan" on the other probably referred originally to participants who were from Ajdir "Proper" as opposed to other Aith Ughir Iyizan. Our own notes tend, in fact, to bear this out, as in the Ajdir turn on the first and third days, the U Haddu and W'Alla w Ujdir part-turns are affiliated with the lineage of the Aith 'Aru 'Aisa; the U Hammu part-turn is affiliated with that of the Aith Zar'a; and the U Mis'aud u Yusif part-turn is of course affiliated with that of the Aith Mis'aud u Yusif. In the Ughir Iyizan turn, on the second and fourth days, all the part-turn names in question designate lineages which had land in Ajdir long ago but which no longer exist as separate entities. Their names are today preserved only in connection with distribution of irrigation water, the present recipients of which are all in effect members of the three lineages of Ajdir.

(114) To complete the record on the l-Bzimma ditch, it only need be said here that our data vary slightly with Blanco's regarding the irrigational order of the small lineage branches, e.g.,

1st Day (24 hours): Ajdir--U Haddu (Aith 'Aru 'Aisa; U Mis'aud u Yusif (Aith Mis'aud u Yusif)
2nd Day (24 hours): Ughir Iyizan--U Yikhrif; U Yihya u Musa
3rd Day (24 hours): Ajdir--W 'Alla w Ujdir (Aith 'Aru 'Aisa); U Hammu (Aith Zar'a)
4th Day (24 hours): Ughir Iyizan--W 'Alla Ughir Iyizan; U Dris
5th Day (24 hours): Bu Mqathir
6th Day (24 hours): Zawith and Tishtin r-B'ai

(114) (614) 134--I'arhuthen may be an error; the lineage in question is probably that of the I'abbuthen, a member lineage of the subclan of the Tigarth of the clan of the Aith 'Ari; while the Dharwa nd-Hajj Si 'Ari Ubarru are a branch of Aith r-'Arbi, also of the subclan of Tigarth. We have been unable to trace the lineage affiliations of the Dharwa 'Abdinnbi.

(614) 135--The fact, which Blanco discusses at length below, of the subclan of Imhauren (clan of the Aith 'Ari), of which the Aith 'Aru Hmid, Aith 'Abdallah u Hmid and Aith Muhand u Hmid are member lineages, doling out water on a staggered nine-day basis to the Aith Bu Dhimmus is rendered all the more remarkable when one realizes that the latter are a branch of the lineage of the Aith Yikhrif w 'Amar, subclan of the Isrihan, in another (and traditionally hostile) clan, the Aith Yusif w 'Ari.

(614) 136--Dhifirasin (literally, "pear trees", sing. dhafirasth) is not the name of a lineage at all, but that of an irrigation ditch. Both the irrigating lineages, however, are of the clan of the Aith Yusif w 'Ari: the Aith Mhand u Yihya (of the Plain), though "foreigners" from the Ulad 'Azzam of the Wargha River Sanhaja, are affiliated with the subclan of the Isrihan, while the Im'aruwen (here again there are two groups who are not geographically contiguous, one in Isrihan in the mountains and one in Thafrasth in the Plain--the latter group is under

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[614] consideration here) are affiliated with the Ajdir segment of the subclan of the Aith Ughir Iyizan.

[614] 137--All three lineages are member groups of the subclan of the Tigarth in the clan of the Aith 'Ari.

312 571 613 114 138--Our own notes on the division of irrigation water from Dharga n-Bulma'iz are a little at variance with those of Blanco. There are three turns of 24 hours each, for the secondary ditches of Dhifirasin, r-Ghis Burma'iz and Thafadhna n Dara (Upper Dhafadhna). The Dhifirasin turn is distributed among the lineages of the Ibukriwen, Ihanjiqen (both of Aith Mhand u Yihya of the Plain) and Im'aruwen (this is exactly as Blanco indicates); but the Ghis Burma'iz turn is limited only to the three lineages of the Imhawren, i.e. the Aith 'Aru Hmid, Aith 'Abdallah u Hmid and Aith Muhand u Hmid. The Tafadhna n Dara turn is divided between the lineage of the Yinn Si 'Amar (branches of Dharwa nd-Hajj 'Amar and Dharwa nd-Hajj Muhand) of Lower Imrabdhen, clan of the Imrabdhen; and the Aith Bu Dhimmus (Dharwa n Muhammadi 'Allush); and this is very much at variance with what Blanco says. It is possible, but unlikely, that a change in order may have taken place after the Spanish administration put cement bases in the three principal ditches (r-Bzimma, Bulma'iz and Dthafadhna) in the Lower Ghis; and the cementing occurred long after Blanco left the Rif. It is easier (and probably more plausible) to attribute the discrepancy to ambiguity among informants; but here again, the pitfall of using ambiguity as a scapegoat is that even the least intelligent users of any ditch are always thoroughly conversant with which lineages use it, how much time and how long the cycle is, and in what order it comes. For it is standard irrigation practice in the Plain of al-Husaima that each dharfiqth receives water for 24 hours at a stretch, and that after this, the supply is cut off so that other dharfiqin can irrigate.

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[114] [614] 139--Blanco is in error here for not being familiar with the segmentary minutiae of the Aith Waryaghar. The Aith Bu Dhimmus lineage does not belong at all to the dharfiqth of the Imhawren, whose clan affiliations are with the Aith 'Ari, but to that of the Aith Yikhrif w 'Amar in the subclan of the Isrihan, of the Aith Yusif w 'Ari.

[114] 140--Our own fieldnotes on the subject say nothing of the staggered, around-the-clock rotation every twelve days of the Aith Bu Dhimmus after their insertion into the routine of the Imhawren turn; but we think we are at fault here for not having gone into the matter thoroughly enough. Blanco is indeed to be congratulated here not only on a truly original discovery, but on an excellent exposition of his material as well.

141--This statement proves that in Blanco's time the three principal ditches emanating from the Lower Ghis had not yet been cemented.

142--Only the lineage of the Dharwa n Hammu Taqar'aith is of the Imhawren subclan of the Aith 'Ari; all the rest of the individuals and lineages mentioned here are resident in Ajdir of the Aith Ughir Izan subclan of the Aith Yusif w 'Ari.

143--Our own notes on the distribution of water from the Tafadhna ditch, while not as detailed as those of Blanco, are nonetheless largely in accord with his. The ditch has a three-day cycle: Imhawren (24 hours), 000 with the lineages of the Aith 'Aru Hmid, Aith 'Abdallah u Hmid and Aith Muhand u Hmid irrigating; Aith Bu Dhimmus (24 hours) with the Dharwa n Muhammadi 'Allush irrigating; and Yinn Si 'Amar Umrabit (24 hours).

[114] 144--Blanco gives the "9 hours 20 minutes" figure (the difference between 12 hours and 2 hours 40 minutes) as "n. 60", which seems to make no sense whatsoever, and may be simply a typographical error.

[103] 145--Our notes record this as one ditch, called Sidd Tuth r-Hammam ("mulberry in the heat"?), a lower extension, in fact, of Sidd Dharga nd-Bzimma. It has a two-day turn, distributed as follows: U Kammuni, U r-Qadhi, U 'Amar u Bukar, U Muhand and Zawith. As in the l-Bzimma ditch, these names are purely names of turns, and not names of actual lineages located in the area around the ditch. However, at least three of the turn names recall present lineage segments of the clan of the Imrabdhen: U Kammuni and U r-Qadhi recall the Aith Kammun and Aith r-Qadhi in the Upper Imrabdhen, and U 'Amar u Bukar recalls the Aith 'Amar u Bukar in the Lower Imrabdhen. Given this fact, it is also possible, therefore, that Zawith in this context might refer either to the Zawith n Sidi Yusif in the Lower Imrabdhen or to the Zawith n Sidi 'Aisa or Zawith n Sidi 'Abd r-Qadar in the Upper Imrabdhen. The turn name U Muhand is too generalized to provide any lead.

146--Blanco unfortunately does not provide us with a translation of this document.

147--'Azib, in an Arabic dictionary, is generally given the meaning of "estate", but it is one of many words in Arabic which mean different things to different groups of people. In the Central Atlas, it refers to a shepherd's shelter in a summer pasturage area; and in the Rif it refers to a second house built by an individual who already owns one, preferably a second house in which he spends a certain season of the year, such as summer. Such an individual is called a'azzab, pl. i'azzaben, and there are very few of them in the Central Rif, where transhumance, in any form, is non-existent.

148--The tribes in question which are bounded by the Lower Nkur are the Aith Waryaghar on the west bank and the Thimsaman on the east; but it should also be remembered that the Middle and even a part of the Upper Nkur divides the Aith Waryaghar (west) from the Axt Tuzin (east).

[621] [613] [614] 149--The latter is a lineage-community of the Aith r-'Abbas subclan of the Aith 'Ari, while the former (Imzuren) is a thoroughly mixed local community, with elements of the Aith 'Ari, Aith Yusif w 'Ari Imrabdhen and even the Aith Bu 'Ayyash clans all included.

[613] 150--Our notes on Dharga n Dahar state that it has nine turns: five for the Aith Bu 'Ayyash (by which, naturally, is meant only those lineage segments of this clan localized around the area of the ditch), and the remaining four as follows: Abyadh (the Aith Mhand u Yihya of the Isrihan of the Aith Yusif w 'Ari), Thasrand Imziren (half for the Aith Bu 'Ayyash and half for the Aith Musa w 'Amar), Ihaddushen (a branch of the Aith Musa w 'Amar) and Imzuren. In each one of these turns, there are 7 or 8 nubath. From Thasrand Imziren to the Nkur, the Aith Bu 'Ayyash irrigate; and from Ihaddushen to Imzuren, the Aith 'Ari do so.

000 151--The third-mentioned individual was from the Aith Bu Qiyadhen lineage of the Aith 'Adhiya subclan of the Aith Bu 'Ayyash, and the fourth from Ajdir of the Aith Yusif w 'Ari. The others were unidentified.

312 571 613 614 152--Sidd r-Hajib irrigates the Aith Musa W. 'Amar and Iswiqen n Waddai (affiliated with the Aith r-'Abbas subclan of the Aith 'Ari), for the most part. Sidd Inufan irrigates the territory of the same lineages, as well as the land of a few intrusive families of Shurfa Wazzaniyin from Snada (Aith Yittuft), those of Sidi l-Hajj Mikki and Sidi Brahim. Sidd Bu Kra' irrigates up through Imjjudhen (of the Imhawren subclan of the Aith 'Ari), as well as r-Mruj and Ahamri (the site of the Granja). Sidd Ahammar irrigates land bought by the Hajj Hmid n 'Abdssram Bu 'Ayyashi, the son of 'Abdssram nj-Hajj Muhand Bu Qiyadhen mentioned in note 151; and it irrigates land of the Ihankuren lineage (in Aith Musa w 'Amar) as well. Sidd Miskur irrigates Ifthisen (Aith Musa w 'Amar) and the Ifqiren (Aith 'Amar u Bukar of the Lower Imrabdhen).

153--These ditches are presumably named for the lineages which use them: Tigarth and I'abbuthen (both of the Tigarth subclan) in the Aith 'Ari, and Aith Misa'ud in the Lower Imrabdhen.

154--Sidd Tagharbund irrigates for the Ihankuren (of Aith Musa w 'Amar of the Aith r-'Abbas subclan of the Aith 'Ari), Imjjudhen (of the Imhawren subclan of the Aith 'Ari), certain lineages of Bu Minqad (again of the Aith r-'Abbas of the Aith 'Ari), the (Lower) Imrabdhen of r-'Azih Imzuren, and, in 1953, for the then Pasha of Villa Sanjurjo (al-Husaima), Mikki n Sriman r-Khattabi, of Ajdir. Sidd 'Abdallah irrigates for the Ifqiren lineage (of Aith 'Amar u Bukar of the Lower Imrabdhen subclan) at r-'Azib Imzuren, Sidd Arbib ("dam of the stepchild") irrigates for the Ifqiren and Ma'iza lineages (also of Aith 'Amar u Bukar) at r-'Azib Imzuren. Sidd Ishtari irrigates for the Imrabdhen of r-'Azib Imzuren, and for the Imhawren, Aith Musa w 'Amar and Bu Minqadh lineages (the last three of the Aith 'Ari).

155--As indicated, the Imhawren are a subclan of the Aith 'Ari, while the Aith Mhand u Yihya are a lineage of the Isrihan subclan of the clan of the Aith Yusif w 'Ari.

000 156--For whom, presumably, the ditch was named in the first place, as those of its members who are nearest it share a turn from its water.

[613] [571] 157--Our notes state that the Dharga n Tmsaman always has a right to one-third of the water from Dharga Ughzar Amzzyan; and that there are four, rather than three, turns of 24 hours each, the fourth being that of the Aith 'Amar u Bukar (Lower Imrabdhen) of Ma'iza.

[613] [614] 158--A lineage of Izakiren community in the subclan of the "True" Aith Bu 'Ayyash, clan of the Aith Bu 'Ayyash.

159--Sidd Jdid is used in summer, when water is scarce, by the same lineages who use Dharga n Tmsaman.

160--This document is not given by Blanco in translation.

776 161--Sidi r-Hajj Yusif n S'aid Ikhrif lived in Imnudh (Aith 'Adhiya,
of the Aith Bu 'Ayyash) and is buried there, in a tomb surmounted by a
778 white cupola, on the left bank of the Nkur. He is not one of the
Imrabdhen of the Aith Waryaghar, but has descendants in Imnudh, in the
Thimsaman and in the Axt Tuzin. In the clan of the Axt 'Akki in the
last-mentioned tribe is buried his son Sidi r-Mdur, who gave protection
to the tulba when they gathered at his tomb to read verses from the
Koran. It is said that there was a time in which they stopped praying,
and since then he has not afforded them his protection. Sidi r-Hajj
[755] Yusif has the reputation of being able to cure sick people and to cure
[782] barrenness in women. He is visited on Thursdays, and sacrifices are
made at his tomb.

000 162--These figures date from 1938, at the time of Blanco's survey.

[773] 163--The legend behind Azru n Srith is as follows: once a wedding was going on in the neighborhood of Thanda Hawa (which functioned as a gate and grain-silo deposit for the City of Nakur). A foreign saint, Sidi Birqi, who came from the east and who is now buried on the east bank of the Nkur River, in the Axt Tuzin, came up to the wedding procession to ask the people for a little water in order to perform his ablutions prior to prayer. He was brusquely refused, and because of this, he turned all the members of the procession, including the bride on her mule, into stone. To this day, Rifians say that the rock of Azru n Srith looks like a bride mounted on a mule--and hence its name.

[613] 164--The following groups irrigate from Sidd Ysiyar: Aith Bu Srama of Izakiren ("True" Aith Bu 'Ayyash, Aith Bu 'Ayyash), Ighmiren (Aith 'Adhiya, Aith Bu 'Ayyash), Ixatshumen (Isrihan, Aith Yusif w 'Ari), Axt Tuzin, and Imrabdhen n Bu Zwiqa, Aith Habbuqush and Aith Tbirkhashth (all of Truguth, Thimsaman).

165--Izakiren is a lineage of the subclan of the "True" Aith Bu 'Ayyash
[613] of the clan of Aith Bu 'Ayyash, and Ighmiren is a lineage of the sub-
[614] clan of the Aith 'Adhiya of the clan of the Aith Bu 'Ayyash. Our notes
read that there are eight turns, rather than seven, for Dharga n
Tufrasht, but these, beyond reading Izakiren and Ighmiren, are unspecified.

[613] 166--Dharga 'Arridh irrigates for Imrabdhen n Bu Zwiqa (clan of Tru-
guth, of the Thimsaman) and Aith Bu Srama (lineage of Izakiren,
[614] subclan of the "True" Aith Bu 'Ayyash, clan of Aith Bu 'Ayyash).

[614] 167--In the clan of Truguth in the Thimsaman.

168--All of Izakiren in the Aith Bu 'Ayyash.

[613] 169--Our notes state that the water of Bujinn is restricted to lineages of Truguth, in the Thimsaman: Imrabdhen n Bu Zwiqa, Ims'audhen, Aith Habbuqush, Dharwa nj-Qa'id 'Allal.

[614] 170--All of the clan of Truguth, Thimsaman. Our notes read, in addition, that Dharga Iznagen irrigates some land in the Thimsaman which belongs to 'Abd al-Krim.

104 171--It might be noted here that the aquwwam is functionary, corres-
624 ponding more or less with the Arabic shaikh al-filaha, who was introduced

104 by the Spaniards. If anyone fails to turn up to repair a ditch after
624 a storm, the fine he pays goes not to the *aquwwam* but to his *jma'th*,
[686] who buy sugar and tea with it.

000 172--"Subclans" may not be strictly accurate here as a translation, but it is better than Blanco's "fractions". Ajdir is, as aforementioned, a community of the subclan of the Aith Ughir Izan of the Aith Yusif w 'Ari, while the Imhawren are a subclan, in their own right, of the Aith 'Ari. The Imrabdhen are an entire clan, but in this instance only those subclansmen of the Lower Imrabdhen contiguous to the Imhawren and Ajdir were involved.

[613] 173--The references are to the lineage of the Aith 'Aru Hmid, subclan of the Imhawren, clan of the Aith 'Ari.

174--The Sultan of Morocco at this time was Mawlay 'Abd ar-Rahman ibn Hisham (1822-1859).

175--It is impossible for us to infer today even the clans to which the first three men belonged, much less their lineages, because of the antiquity of the *qanun* (or, in this case, *shahada*) in question. However, Muhammad al-'Arusi was probably of the Aith 'Arus or a descendant of someone who had escaped from a feud in that mountain subclan, and 'Abdallah b. Ahmad Amhawil must have been of the Imhawren subclan of the Aith 'Ari.

[554] 176--Sriman r-Khattabi of Ajdir, whom the Spaniards made the top *qa'id*
[648] of all the Aith Waryaghar in 1926. He held this position until 1934-35, when, at Blanco's instigation, Waryagharland was divided into three
[631] qaidates of equal size. In 1936 he became Pasha of Villa Sanjurjo (al-Husaima), a position he held until his death in 1950.

[614] 177--Of the clan of the Aith 'Abdallah, but lineage affiliation is unspecified.

178--Both the *qadi* and the two *'adul* can be identified as being of the clan of the Aith Yusif w 'Ari.

7 179--In Moroccan Arabic, *rayah* or *siyada* are the usual terms for "hunt-
[224] ing"; in Rifian, however, the word is *dhingmarth*, while hunter is *angmar*, pl. *ingmarn*. A very summary description of Rifian hunting
[113] techniques, as practiced for the most part in the Igzinnayen, and with rifle, net or trap, is in Coon, op. cit., 1931, pp. 37-38; and a summary of Blanco's own data is also contained in R. P. Esteban Ibanez, "El Derecho Consuetudinario en la Sociedad Bereber", *Institut International de Sociologie, XVIIIe Congrès*, Nuremberg 1958, Sept. 16-17, 1958 (mimeographed).

180--This is not literally true, for like all Moroccan Muslims, Rifians are extremely fond of mutton (or even goat) *tajins*, or olive-oil based vegetable stews.

181--The distribution of the meat of a dead (or sacrificed) animal is called *r-uzi'ath* (Ar. *l-wuzi'a*), and every member of the *jma'th* is entitled to his share.

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182--According to informants in the Jbil of the Aith Waryaghar, this was not, and is not so. Hunting is neither obligatory, nor are there fixed days for it; people hunt entirely when they wish to do so, although nobody would think of doing so on Wednesday (market day) or Friday.

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[114]
[178]
We wonder, too, if the Rifian hunting *qanuns* are in fact as detailed and as complex as Blanco would have us believe. Hunting is certainly less common now than it was, for instance, during the "*Ripublik*", and possibly the general knowledge of many of the fine points which Blanco has recorded has died in the interim. It is also possible that these same fine points may be in fact an indication of the relative lack of game in the Rif; that because the human population is relatively high and the animal population relatively low, provision must be made to establish priority rights of particular individuals to game, under any circumstances. Hunting regulations, as Blanco describes them for the Rif, are far more elaborate than they appear to be in the Central Atlas, where game (and large game, such as Barbary sheep, panthers and boar) is plentiful and where hunting is generally done with a *bu shfar*, the flintlock gun. There, the general rule of thumb is that anyone who hears a shot fired comes running, as any person present at a kill has the right to share the meat with the hunter (i.e. if the animal in question is not Koranically tabooed). In the Rif, game is small (jackals and boar are the largest animals, and both are getting progressively rarer) and not overly numerous, and people are many; hence the elaboration of these hunting *qanuns*. (Boar are of course not eaten, given the Muslim taboo on pig.)

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183--This word we have been unable to find in the Jbil of the Aith Waryaghar, in which area hunters, collectively, are called *ingmarn* (sing. *angmar*), and where no one can really be termed a "hunt leader".

184--This term, as frequently shouted during a hunt as *haw-haw-haw!*, the hunting call proper, means "Here it is!" or "There it goes!" and is in fact the Rifian classificatory cousin to the English or Virginian fox-hunter's "Tally-Ho!"

[114] 185--Given mistakenly by Blanco as Aith 'Amar u Yahya.

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186--In several communities of the clan of the Aith Hadhifa there are lineages of the Upper Imrabdhen (Rashkra, Zawith n Sidi 'Abd r-Qadar and Kammun), while one community (Dhamarkat) contains Lower Imrabdhen lineages.

However, the disposition of these two hunting bands does not appear to coincide with that of the two subclans of the Aith Hadhifa; for while in the first band, Ihadduthen, Mishkur and most of Bihban belong to the subclan of the Aith Bu Jdad (Aith Bujdat), Thizimmurin and Iharunen belong to that of the Iraqraqen; and while, in the second band, Aith 'Amar u S'aid and Bashkra both belong to Iraqraqen, the Imrabdhen are of course intrusive. It is, thus, far more likely and, indeed, a far more logical assumption, that the hunting-band organization described by Blanco follows territorial lines rather than purely segmentary ones; and proof of this can be ascertained from a glance at Blanco's tribal map of Aith Waryaghar in the appendix.^A

^A,[No appendix is given--Analyst]

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[656] 187--Firearms have been prohibited in the Rif since 1926, and still are at date of writing (1961).

188--In the Jbil of the Aith Waryaghar, a hunting party always consists of at least four or five persons, more often ten to twenty; and it hunts the whole day, away from the village, returning home only at night. The catch, even if only one rabbit, is divided up equally among the hunters, no matter how many; and on the same principle, fines are equally shared by all members of a hunting party. The owner of a ferret (*nims*, pl. *inimsan*) which has caught an animal gets the head; and the owner of a trap (*dhakhshifth*, made of iron and generally reserved for larger animals) into which an animal has fallen has a right to the whole animal, even if someone else should discover it in the trap before the owner arrives. If an animal in flight passes through the land of any person, it still belongs to the hunter no matter who catches or kills it; this, however, presumably does not often happen, for hunting is always done away from the village.

[411] Rabbits and hares are always hunted with sticks, and in snow. Generally, the hunters wait until an animal is up to five meters ahead of them before throwing their sticks, because if a rabbit's face is smashed by a stick, the man who threw it is accused of being a poor hunter by his fellows.

[788] It is customary to pronounce the Muslim invocation "*Bismillah r-rahman r-rahim!*" ("In the name of God the Merciful, the Compassionate!") before throwing or shooting at an animal or before setting a trap, as this act renders the meat *halal*, or lawful for human consumption, the same as if its throat had been cut. If an animal is found dead (*imwardhas*, "dead animal"), it is thrown away.

189--What is presumably meant here are *qadi*'s and other Muslim legal personnel.

190--As the catch is equally divided, so fines are equally shared, among the hunters.

191--The only dogs used for hunting in the Rif are a kind of greyhound or saluki, called in Rifian *ushshai*, pl. *ushshayen*. Hunting with greyhounds, however, is not done in the Jbil of the Aith Waryaghar.

192--This proves that hunting is indeed a corporate and cooperative venture, based on a principle of share and share alike.

193--In other words, it is the presence or absence of a circle around the burrow which denotes ownership and which is in fact the most visual and reliable proof of same.

194--And in the Jbil of the Aith Waryaghar as well.

[113] 195--Blanco and R. P. Esteban Ibáñez, O.F.M., *Diccionario Español-Rifeño*, Madrid 1944, p. 355, both give as the term for "partridge net" *thinigmarth*, pl. *thinigmar* (which also means "hunting"); and Ibáñez lists this as the term in use both in Ibuqquyen and in Iqar'ayen. In the Jbil of Aith Waryaghar, however, a partridge net is termed *dhabhyuth*.

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[114] [136] 196--This seems to indicate considerable confusion, both terminological and zoological, for the simple reason that there are no wolves proper in the Rif. A terminological confusion arises because Spanish dictionaries, both Rifian and Arabic, translate Rifian *ushshan* (pl. *ushshannen*) and Arabic *dhi'b* as "lobo, chacal", whereas properly it means only the latter: jackal. By the same token, *uhar* (pl. *uharan*) is a fox (not a jackal, as Blanco indicates); and *thawardha* probably corresponds to *awardhyu* (pl. *iwardhiwen*), listed by Ibañez (op. cit., 1944, p. 439) as synonymous with *uhar*, "fox". We have never heard the word *awardhyu* in the Jbil of Aith Waryaghar, however.

197--In the Jbil of the Aith Waryaghar, the carcass of a dead animal is used as jackal-bait, and traps are laid around it.

[184] 198--This is in contrast to the situation in the Jbil of Aith Waryaghar, where division of the game and of the fines incurred are shared equally by all the hunters.

199--We have substituted "system of beliefs" for Blanco's term *supersticiones* as being somewhat more appropriate anthropologically.

[For additional information on the *fariqath*, a "sub-fraction" or canton composed of a single hill-valley or watershed unit, comprising 4 or 5 villages, the membership of which are related through a traditional rather than an actual ancestor, see also Categories 634 and 614.]

5: Blanco Izaga

MX3 Rif MX3

614

[For information on the tharfiqth, defined by the author (p. 57) as "a form of clan-community", see Category 613.]

623

[For information on the community or village aspects of the *jma'th*, a collection of both related *tharfiqins*, see also Categories 621 and 613.]

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Rif MX3

[For additional information on the *farīqath*, a "sub-fraction" composed of 4 or 5 related villages (related through a traditional rather than necessarily an actual common ancestor), and making up a single hill-valley or watershed unit, see Category 631.]

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[For additional information on the function of the jma'th as a counseling body, see Category 623.]

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[For information on the Rifian "fraction", called a "clan" or "sub-clan" by Blanco Izaga, and defined as "... an association of neighboring jma'th-s for sociopolitical ends ..., a state in miniature ..., an independent republic, and the true Rifian Patria ..." (p. 115), see Category 614.]

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Rif MX3

[For additional information on the *arrba*, *thakhammasth* (pl. *thikhammasin*) or *rba* (pl. *ruba*), a major or primary section of the tribe, which has been variously described in the literature as maximal lineages, districts, *khoms* ("fourths" or "fifths" of the tribe), cantons (by Coon), groups of *bones*, fractions, or clan "fifths" (Blanco Izaga), see also Category 631.]

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779

[For information on the Sharía (Islamic law), see Category 671.]

[For additional information on the *thārfiqth* (pl. *thārfīqth*) or *dharfiqth*, a form of clan community composed of extended families (*jājghū*) and including the families of all the sons of an original founding ancestor, see Categories 613, 614, and 596.]

623. Rif MX3

[For councils (jemas, jma'th) on the ar-rba or tribal level, see Categories 619 and 646.]

[For additional information on the arrba, thakhammasth (pl. thikhammasin) or rba (pl. ruba), a major or primary section of the tribe, which has been variously described in the literature as maximal lineages, districts, khoms ("fourths" or "fifths" of the tribe), cantons (by Coon), groups of bones, fractions, or clan "fifths" (Blanco Izaga), see Categories 619, 614, and 634.]

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Rif MX3

[For additional information on the *thārfiqth* (pl. *thārfīqth*) or *dharfiqth*, a form of clan-community composed of extended families (*jājghū*) and including the families of all the sons of an original founding ancestor, see also Category 618.]

abarrah (barrah)--market crier (p. 127)
'adl (pl. 'adul)--notary public (p. 53)
agharrabu (pl. igharruba)--boat (p. 342)
agirmam (pl. igirmamen)--a pond (p. 351)
agraw (pl. igrawn)--a meeting of councillors (p. 40)
aith--sons of; this term is equivalent to the Arabic bani (p. 46); people of (p. 175, no. 127)
Aitharba'in--council (p. 164, no. 58); the collective of clan delegates (p. 123)
akhammas (pl. ikhammasen)--hired men who cultivate fields of cereal grain (p. 50)
'am alfillah--agricultural calender (p. 92)
amarras--storehouse/silo guardian of the Eastern Rif (p. 123)
amddukar (pl. imddukar)--friend (p. 247)
amghar (pl. imgharen)--a clan representative elected by the jma'th (p. 126)
amghar n-suq--"market chief" who policed the market (p. 127)
amin--the market provost who supervises the collection of the market tax and sees that the market is run smoothly and efficiently (p. 87)
amina--a female market provost in a women's market (p. 88); see the definition given for amin
amrabidh (pl. imrabdhen) -saint's tomb (p. 66); saint (p. 91); a descendant of the Prophet Muhammad (p. 155); a living or dead saint (p. 157)

amrabit--hermit saint (p. 116)
anigmar (pl. inigmarn)--hunter (p. 219)
aquwwam (pl. iquwwamen)--agricultural/irrigation expert (p. 169, no. 92)
arkan al-din--"pillars of religion" (p. 227, no. 17)
ar-raqba--"turns" of vengeance or reprisal (p. 102)
ar-rba' (pl. rurbu')--"fourth" or "quarter"; a Rif term which is used to denote maximal segments in tribes possessing less than five of these; this term is also employed (more often than khums) to designate the five maximal segments of tribes which do have "fifths" (p. 159, no. 22)
'ashur or zakah--alms giving (p. 227, no. 17)
'ashur (Rif dha'ashurth)--tithe from harvests (p. 193)
'ashura--the loth day of the first month of the Muslim year, Muharram (p. 227, no. 17)
athmun (pl. ithmunen)--conical silos (p. 48)
azdif (pl. izdifen)--a village council member (p. 58)
'azib(Arabic)--in the Rif, this term refers to a second house owned by an individual who already owns a house (p. 412, no. 147)
aziddif or aziddjif (pl. iziddifen or iziddjifen)--the headman of the jajgu (p. 107)
'azizi (pl. aith 'azizi)--father's brother (p. 227, no. 14)
baraka--a wonderworking power similar to the Melanesian mana (p. 92)

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dhwara--"turns" of pasturage (p. 102)

diya (Arabic)--bloodwealth (p. 43); ddiyith (Rif, p. 109)

dshar--village, hamlet, community (p. 166, no. 71)

fariqath--a minor political division comprising four or five villages; a descent group in which all members are related, although the genealogical steps leading back to the common ancestor (if there was a common ancestor) are no longer traceable (p. 67)

fqih (pl. tulba)--a teacher in a mosque (p. 168, no. 89); the personage who officiated in a mosque (p. 190)

fqir--a member of a religious order (p. 195)

fraction--clan or subclan; an association of neighboring jma'th for sociopolitical ends (p. 115)

ghaba--areas where brushwood is gathered by the women for their ovens (p. 49); scrub forests (p. 66)

ghwarfth (Rif)--storeroom for grain in a mosque (p. 190)

guma--a slaughter house in a market (p. 86)

habus--a religious or charitable endowment (p. 162, no. 49); mosque property (p. 120)

hadj--pilgrimage to Hijaz, Mecca

hajjamin--barberbleeders (p. 87)

halal--that which is permitted to be eaten (p. 237, no. 68)

hannash--evil doers, snake charmers (p. 289)

haqq--a fine (p. 43, 72); law, reason, right (p. 397, no. 13) blad l-makhzin--government controlled land (p. 16); the land of the Shari'a, or of Islamic Law (p. 96)

blad s-siba--"land of anarchy" i.e., the Atlas and the Rif (p. 16); land of custom or of customary law (p. 96)

bu-mwarith--an official who takes over, in the name of the government, the property, real or movable, of any person who has died without issue or heirs (p. 170, no. 105)

ca'ida or 'urf--Berber Customary Law (p. 26)

darraz--a weaver (p. 86)

ddiyith--blood money to a victim's agnates (p. 234, no. 54)

dha'ashurth--voluntary alms; self-taxation (p. 194)

dkakhammasth--"fifth"; used only in the case of tribes which have five clans or maximal segments (p. 158, no. 22)

dhakhshifth--a trap used in hunting (p. 237, no. 68)

dhaddarth--nuclear family (p. 99); properly, this terms means "house" (p. 159, no. 25)

dhamzyidha--a mosque (the construction, repairs, and maintenance) (p. 190)

dhaqbitsh (pl. dhiqbar)--tribe (p. 156, 118)

dhasirth w aman (pl. dhisira w aman)--turbine watermills (p. 351)

dhimssi--hearth (literally "fire") (p. 159, no. 25)

dhrarsha--a fishing net (p. 349)

dhukkardha--"turns" of theft (p. 102)

dhuri--an association between two farmers whereby one man supplies the land and half the seed, and the other man provides the rest of the seed and the plowing equipment; the actual work is done by an akhammas (a hired gardener) (p. 50)

harim--communal pasture lands (p. 66)
harka--war parties (p. 239)
hauma--a separate barrio in a village comprised of a single tharfiqth, the fundamental social unit (p. 58)
hizb--(pl. hizib)--one of the 60 subdivisions of the Koran (p. 228, no. 21)
ibarudiyen--dramatic actors (p. 127-128)
idhuran(sing. adhuggwar)--in-laws (p. 259-260, no. 24)
ifaradhen--a contract between two farmers in which they join their individual resources to produce crops and then equally divide the harvest between them (p. 50)
imam--a prayer leader in the mosque who stands before the congregation (p. 228, no. 23)
imdhiyazen--musicians who play and sing at weddings and who also breed mules (p. 160, no. 36)
imziren (sing. amzir, "blacksmith")--A property less (usually) social class in the Central Rif which originated from the tribe of Axt Tuzin. These people specialize in ironwork (p. 160, no. 36)
interventor--Spanish tribal administrator
isrif (pl. isrifen)--an affinal kinship term signifying "wife's sister's husband"; two men who marry sisters are isrifen to each other (p. 164, no. 57)
iziddjifen (sing. aziddif)--headman or representatives of each dharfiqth, constituting the permanent council of the jma'th (p. 126)
izidjith--a plaintiff (p. 230, no. 38)

izudj or yuxshar n rimin--an accused person (p. 230, no. 38)

izudjen or yuxshin n rimin--cojurors (p. 230, no. 38)

jajgu (pl. ijujgu)--patrilineal extended family (p. 52, 56)

jama'ath--village, council of notables (p. 51); a collection of both related and unrelated tharfiqin (p. 65); a local community (p. 97)

jari (pl. jwari)--village headman (p. 66) in the Aith Waryaghar tribe

jbil--mountains (p. 219)

jillab--a woolen cloak with sleeves and a hood worn by men (p. 63)

jnun--a supernatural being (p. 91)

khums (pl. khmas)--one-fifth of the tribe (p. 188)

liff (pl. lfuf) -a complicated network of alliance systems (p. 58); political moiety organization (p. 69, 76)

ma'ar--silos (p. 123)

maghrib--sunset prayer (p. 363)

mahkama--tribunal building of the qa'id or qadi (p. 206)

makhzin--the government of the Sultan of Morocco (p. 16)

mhalla--a military expedition (p. 251)

mkhazni--a soldier of the Moroccan government of Makhzin who is a member of a special unit, the Mkhazniya (today since independence, Makhzin Mobile, or "Forces Auxiliaires"), and has nothing to do with the regular army (p. 206, 225, no. 8) mmis n 'azizi (pl. dharwa n'azizi)--father's brother's son (p. 226, no. 14)

mqaddim (Arabic)--village headman (p. 122) in all tribes except the Aith Waryaghar where the village headman is called jari. In the Aith Waryaghar, the mqaddim became the head of the administratively created "sub fraction", while the "fraction" itself was under a shaikh (p. 176, no. 140)

mqaddim n-tmzidha--caretaker of the mosque on the local level (p. 168, no. 88)

mulu'--the leader of a hunting party (p. 382)

muna--food (p. 192)

murabit--holy man (p. 61)

mushaf--Koran (p. 231)

n-dara--upstream (p. 371)

ndzir l-ahbas--habus administrator; caretaker of the mosque on the provincial level (p. 168, no. 88)

nims (pl. inimsan)--a ferret used in hunting (p. 237, no. 68)

nubth (pl. nubath)--the notion of "turns" and of "doing things in or by turn" (p. 102); nuclear family (p. 159, no. 25)

qabila (Arabic)--tribe (p. 22-23)

qadi (pl. qudat) (Arabic)--a judge of Shari'a law (p. 159)

qaid (pl. quyad) (Arabic)--chief of the tribe (p. 24)

qanun (pl. qawanin)--Customary Laws documents of the Rif (p. 41); decisions of the village or tribal council with or without documentary evidence in Arabic (p. 166, no. 75)

qawa'id al-Islam--"customs of Islam" (p. 227, no. 17)
rabba'--hired gardeners who tend vegetable gardens and orchards (p. 50)
r-'adhawth (Rif)--vengeance (p. 398, no. 29)
ra'is (pl. ruyas)--the master of a boat (appointed by the owner of the boat) who directs the operations of the boat (p. 343)
rba' (pl. rubu')--see definition for thakhammasth
r-ghramth--"turns" of gift-giving at weddings (p. 102)
rhaqq--a market fine (p. 234, no. 54)
rimin or thzaddjith--collective oaths (p. 230, no. 38)
ribat--an agreement (p. 316)
r-knwaghadh (sing. r-kinghadh)--legal documents (p. 100)
r-mitrag--a long stick bound with copper wiring which was thrown to kill birds in flight (p. 237, no. 68)
rqisas--a fine paid to a victim of a crime by the person who committed that crime (p. 234, no. 54)
r-Rogi--a false pretender to the Moroccan throne (p. 263, no. 31)
rshuhudh--witnesses (p. 230, no. 38)
r-uzi'ath (Ar. l-wuzi'a)--the distribution of meat from a sacrificed animal (p. 415, no. 181) or from a hunted animal or bird (p. 382)
r-waratha (sing. awrith)--the remaining angantes of a dead man (p. 226, no. 14)
Shari'a--Muslim religious law (p. 203)

sharif--holy man (p. 61)

shuf'ath (Berber, Shafa'a)--agnates priority rights over both land and women (p. 227, no. 14)

sidd (Arabic)--dam (p. 409, no. 129)

ssdhaq (sdaq)--brideprice ; dowry

sulh--truce (p. 374)

sunna--the custom of the Prophet (p. 208)

suq (pl. aswaq)--a weekly market

s-waddai--downstream (p. 371)

talib (pl. tulba)--a post-graduate student in Koranic knowledge; the functions of a talib are almost identical to those of a fqih (p. 169, no. 89)

tartib--the tax paid to the Makhzin in Tetuan by each farmer on all the livestock he owns as well as all the land he has under cultivation (p. 71); also spelled "tirtib" (p. 161, no. 43)

thafgirth (pl. thifgirin)--a bonfire (p. 239)

thakhammasth (pl. thikhammasin) or rba' (pl. rubu')--the major or primary political section which literally means "fifth" and "fourth" respectively; the tribe of Aith Waryaghar is divided into five major sections, each of which claims descent from a common ancestor; the tribe as a whole does not claim descent from a common ancestor (p. 68)

thamagra--the wedding celebration

thamza--a hideous local ogress who eats babies (p. 91) thamzida n khutbath--the principal cantonal mosque which is attended on Fridays (p. 68); also spelled dhamzidha (p. 156) (Rif)

tharfiqth (pl. tharfiqin) -the fundamental social unit and a form of clan-community; the tharfiqth is an amplification of the jajghu (extended family) by inclusion of the families of all the sons of the original founder-ancestor (p. 57-58). Also spelled dharfiqth (pl. dharfiqin) (p. 155). A lineage (p. 155)

thargha (pl. tharghiwin)--irrigation ditches (p. 51)

thasrafth--In the Central Rif, an underground deposit in the patio of a house in which grain reserves are kept (p. 170, no. 98)

thzaddjith or rimin--collective oaths (p. 230, no. 38)

timrath--wife

tislith--bride

twiza--a corvee (p. 102)

uggug (pl. uggugen)--a dam (p. 358-359)

ukil (fem. pl. ukilat)--legal representative (p. 110-111)

ukil l-ghuyab--an inheritance or property representative for absentees (p. 170, no. 106)

uma (pl. aithma)--brother (p. 226, no. 14)

'urf or ca'ida--Berber Customary Law (p. 26)

yinn--"those of"; roughly synonyomous with aith, but Rifians tend to use yinn only when speaking of lower level segments (p. 175, no. 127)

yuxshar n rimin or izudj--an accused person (p. 230, no. 38)
yuxshin n rimin--cojurors (p. 230, no. 38)
zakah or 'ashur--alms giving (p. 227, no. 17)
zattat--the gift given to a prospective brides' father to put him in a receptive mood
zawiya--residence of a virtuous or holypersonage and invariably associated with a saint's tomb (p. 110)
zujiya--a marriage contract document (p. 159)